

Why not put on a campaign to use the postal savings banks more? Why are the school children not taught to use this system provided by the Government. Why use such "judicious advertisement"? Why not spend some of the earnings of these postal savings banks to extend their usefulness just as our business men spend freely to extend their business? Is everybody scared of the power lodged in the American Bankers' Association?

THOS. J. JACKSON,
Grand Forks, N. Dak.

RECESS

Mr. SMOOT. I move that the Senate take a recess, the recess being until Monday morning at 10 o'clock under the previous order.

The motion was agreed to; and the Senate (at 1 o'clock and 5 minutes p. m.), in accordance with the order previously entered, took a recess until Monday, October 28, 1929, at 10 o'clock a. m.

SENATE

MONDAY, October 28, 1929

(Legislative day of Monday, September 30, 1929)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Mr. BINGHAM obtained the floor.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Connecticut yield for that purpose?

Mr. BINGHAM. I do.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Fess	Jones	Schall
Ashurst	Fletcher	Kean	Sheppard
Barkley	Frazier	Kendrick	Shortridge
Bingham	George	King	Simmons
Black	Gillett	La Follette	Smith
Blaine	Glenn	McKellar	Smoot
Bleuse	Goff	McNary	Steck
Borah	Goldsborough	Moses	Steiner
Bratton	Gould	Norbeck	Swanson
Brock	Greene	Nye	Thomas, Idaho
Brookhart	Hale	Oddie	Thomas, Okla.
Broussard	Harris	Overman	Trammell
Capper	Harrison	Patterson	Tydings
Caraway	Hastings	Phipps	Vandenberg
Connally	Hatfield	Pine	Wagner
Copeland	Hawes	Pittman	Walcott
Couzens	Hayden	Ransdell	Walsh, Mass.
Cutting	Hebert	Reed	Walsh, Mont.
Deneen	Heflin	Robinson, Ark.	Warren
Dill	Howell	Robinson, Ind.	Waterman
Edge	Johnson	Sackett	Wheeler

Mr. SCHALL. My colleague [Mr. SHIPSTEAD] is absent, Ill. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

THE JOURNAL

Mr. JONES. Mr. President, I ask unanimous consent that the Journal for the calendar days of Monday, October 21, to and including Saturday, October 26, 1929, may be approved.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORT OF DISTRICT PUBLIC UTILITIES COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Public Utilities Commission of the District of Columbia, transmitting, pursuant to law, a report of the commission's official proceedings for the year ended December 31, 1928, together with other data and information relating to the regulation and operation of the public utilities in the District of Columbia, which was referred to the Committee on the District of Columbia.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 1959) to authorize the creation of game sanctuaries or refuges within the Ocala National Forest, in the State of Florida; to the Committee on Agriculture and Forestry.

By Mr. BROOKHART:

A bill (S. 1960) granting a pension to Emeline A. La Gow; to the Committee on Pensions.

By Mr. HOWELL:

A bill (S. 1961) granting an increase of pension to Joseph Benesch; and

A bill (S. 1962) granting an increase of pension to Anna Pallat; to the Committee on Pensions.

By Mr. TYDINGS:

A joint resolution (S. J. Res. 78) for the establishment of a commission for the construction of a Washington-Lincoln Memorial Gettysburg Boulevard connecting the present Lincoln Memorial in the city of Washington with the battle field of Gettysburg in the State of Pennsylvania; to the Committee on the Library.

ADDRESS OF THE PRESIDENT AT LOUISVILLE, KY. (S. DOC. NO. 34)

On motion of Mr. SACKETT, it was

Ordered, That the address of the President of the United States delivered at Louisville, Ky., October 23, 1929, be printed as a Senate document.

Mr. BROCK. Mr. President, I ask to have printed in the RECORD an able and forceful article published in the Southern Cultivator, of Atlanta, Ga., in its issue of October 15, 1929, by Hon. HUGO L. BLACK, Senator from Alabama, entitled "Real Federal Farm Aid Imperative."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Southern Cultivator of October 15, 1929]

REAL FEDERAL FARM AID IMPERATIVE—FARMER IS NOT ONLY NOT GETTING HIS JUST SHARE OF THE COUNTRY'S WEALTH BUT HE IS GROWING POORER EVERY YEAR DESPITE THE FACT THAT HE IS THE ECONOMIC BACKBONE OF THE NATION

By Hon. HUGO L. BLACK, United States Senator from Alabama

The population of the United States is over 100,000,000. One-third of this number live on farms. The national annual income in this, the wealthiest nation on the globe, is more than \$90,000,000,000, and of this amount the American farmers receive about \$9,000,000,000. In other words, one-third of the population receives less than one-tenth of the national income. Agriculture in the United States, we are told by the experts, is \$20,000,000,000 worse off than it was 10 years ago.

This, in brief, is the story of the present plight of the American farmer expressed in dollars and cents. In plain English, he is not only not getting anything like his just share of the proceeds from the wealth of this great country but he is growing poorer every year despite the fact that he constitutes the economic backbone of the Nation, and since the foundation of the Republic has been the source of its moral and spiritual strength and leadership.

Literally the American farmer, heroic figure in the life of the Nation, without whose labors the vast industrial machine would collapse overnight like the proverbial house of cards, has been given the crumbs from the heavily laden tables of national wealth since the advent of the industrial era at the close of the War between the States in 1865. Faced by mounting prices on his necessities of life, with no corresponding increases in the price of the products of his toil, with unpaid loans, mortgages, and foreclosures harassing his daily life, the American farmer has borne his tribulations with marvelous patience. Stoically, conservatively, patriotically citizen that he is, the American farmer has shouldered these burdens and lived chiefly on hope. Meanwhile the manufacturing interests year by year have ground out their surplus millions with the help of a generous Federal Government committed to the policy of a bounty in the nature of a tariff, which has raised the prices of the things the farmer has had to buy.

It goes without saying that the protective tariff system, aided by the ingenuity and energy of the American workmen, has concentrated great wealth in the hands of manufacturers and has lifted the general standard of life for the industrial group.

But where is the farmer in this picture of prosperity? Has the Federal Government offered any compensation bounty or benefits to the farmer to counterbalance the tariff bounty for industry? Let us see what the Government has done for the farmer.

EXPERIMENT STATIONS STARTED

The land grant act of 1862 established the agricultural colleges in the States and provided the foundation for the teaching of agriculture to the youth. It was soon discovered that much experimental and research work was necessary to insure effective teaching of agriculture, and so Congress in 1889 enacted legislation which resulted in the establishment of agricultural experiment stations in connection with the State colleges.

There was established more than 40 years ago a Federal Department of Agriculture which until 1913 confined its efforts almost exclusively to the field of production, the objective being to make "two blades grow where one grew before." In 1914 Congress enacted the Smith-Lever Act, which provided Federal funds to be used in carrying information direct to the farmer through practical field demonstration, publication, and otherwise, in cooperation with the land-grant colleges. The law also made provision for the farm home. Thus the well-known agricultural extension service which is to be found in all the States, came into being with the definite objective of "advancing country life" by educational methods. The county agents of this service, under the guidance of State and Federal experts, have sought indirectly to help the

farmer and his wife to increase the net income by showing them how to fertilize the cotton, cull the poultry, and can the vegetables, for instance.

In one year 56,000 farmers were assisted in "adjusting the management of their farms looking toward a larger net income." More than 400,000 farmers were assisted in organizing 2,800 cooperative marketing associations, and 3,300 farm-loan associations were organized. Reports from the Agricultural Department show that there are 2,237 county agents and 1,190 home demonstration agents in the 2,900 rural counties in the United States.

The Bureau of Agricultural Economics, also under the jurisdiction of the Federal Department of Agriculture, is organized "to focus all available economic information to facilitate distribution of agricultural products." The Government, through this bureau, has developed national standards for farm products. In 1924 American standards became the basis for world-wide trade in American cotton. Each year the bureau prepares and disseminates a report on the outlook for all important agricultural products. The benefits derived from this service have been questioned by many.

AGRICULTURAL BUREAUS

Among other important divisions of the Agricultural Department are the Bureau of Plant Industry, whose business it is to study destructive plant diseases; the Bureau of Chemistry and Soils, organized for chemical research, soil investigation, and fertilizer and fixed nitrogen investigations; the Bureau of Dairy Industry; the Bureau of Animal Industry; the Weather Bureau, which keeps the farmer informed of temperature and rainfall conditions; and the agricultural engineering branch of the Bureau of Public Roads, which conducts investigations of farm irrigation drainage, etc. The Federal Government also provides funds for the enforcement of the plant quarantine designed to eliminate plant pests. There is also a grain futures act on the statute book, which is designed to bring about Federal supervision of all trading in grain futures. This act is practically a dead letter. The Federal farm loan act of 1916 is designed to furnish the farmer with an unlimited supply of long-time credit at a low interest rate on good security. Under the Federal warehouse act of 1916 the Government seeks to protect both farmer and banker from unscrupulous public warehousemen. The Bureau of Reclamation in the Department of the Interior investigates reclamation, irrigation, and farm development outside arid regions.

The Federal appropriations for the Department of Agriculture for 1929 totaled approximately \$170,000,000, of which more than one-half was expended for Federal-aid roads. It is interesting to note by way of comparison that the amount of tariff duties collected during the fiscal year ended June 30, 1929, amounted to more than \$600,000,000.

Amid the din of debate on the subject of relief for the farming industry, both in Congress and out, culminating recently in the enactment of the Federal Farm Board bill, the cry has been heard that the Federal Government has done nothing for the farmer. This statement is not correct, and therefore in my judgment it is appropriate thus to enumerate the chief agricultural measures enacted by previous Congresses. All honor to those statesmen and forward-looking agricultural leaders who were responsible for the acts that I have cited above. Credit should also be given the State and Federal agents who have conducted the research and planned the programs. Congratulations should be extended also to the thousands of patriotic farm men, women, boys, and girls of the Nation who have so loyally cooperated with the Government in carrying out these programs of better farm and farm-home practices. Unquestionably some splendid results have been achieved along the lines of both economic and social betterment of the farming population.

FARM HELPS CLASSIFIED

It is interesting to note in this connection, however, as a careful analysis of the measures enacted will reveal, that the scope of help for the farming industry embraces three general classifications as follows:

1. Educational (such as extension service).
2. Prohibitive (such as plant quarantine).
3. Loans with good security.

Now No. 1, educational relief, may be considered as only a part of our great educational system. No. 2, the prohibitive measures, involves the element of police power provided for in the Constitution and is also educational. No. 3, the system of loans, simply delays for a few years the day of bankruptcy, and unless the prices of the farmers' products can in some way be lifted near the level of industrial commodities, that day of foreclosure and bankruptcy is inevitable.

The outstanding fact is that of the Nation's two great lines of endeavor—agriculture and manufacturing—the farmer creates 80 per cent of the national wealth, and yet to-day he is on the verge of bankruptcy and is threatened with utter financial ruin, while the manufacturer with his \$4,000,000,000 of profits seeks new fields for investment. Whoever heard of a millionaire captain of agriculture?

The statisticians tell us that the United States, with only 6 per cent of the world population, possesses and enjoys the use of 50 per cent of the world's basic resources—iron, steel, copper, timber, oil, and cotton; 50 per cent of the world's railroads; 75 per cent of the world's telephone and telegraph lines. And yet one-third of this 6 per cent of world population receives less than 10 per cent of the national wealth created,

and in an alleged great era of unprecedented prosperity is on the brink of utter insolvency.

Scores of remedies for the relief of the farmer have been offered by hundreds of writers, agricultural experts, college professors, legislators, tariff makers. Freight rates must come down, one group asserts; water transportation should be developed says another; the farmers must be better organized is the conclusion of still another group; the farmer must become a better business man argues another; there must be less production is another's theory; diversification is the solution some of the experts hold; the number of farmers must be reduced—and countless other suggestions, including the defeated debenture plan and the equalization-fee proposal vetoed by President Coolidge.

COMBINATIONS IN CONTROL

The forces controlling the situation to-day seem to favor the organization of the farmers into great combinations similar to the gigantic industrial concerns that have long since relegated the Sherman Antitrust Act into the sphere of discarded laws. Agriculture, it is argued, must compete with industry by adopting its methods. Manufacturers of farm machinery, fertilizer, and manufacturing material have long controlled practically everything the farmer must buy along this line. Powerful combinations in control of the finished food products, such as bread, meat, flour, dairy products, dictate the prices the farmer must pay for the very necessities of life. A merger capitalized at more than \$400,000,000 was recently accomplished, and another great concern has acquired control of more than 50 per cent of the dairies in half of the United States of the Union. Great food monopolies recently organized represent a capital outlay of more than \$2,000,000,000.

The gap between the economic conditions of agriculture and manufacturing in the United States threatens to become a chasm which can not be bridged. The Congress has recently enacted the Federal Farm Board bill and made an initial appropriation of \$500,000,000. The expansion and strengthening of the cooperative movement will be the major policy of the board, according to a recent statement of Chairman Legge.

I am not one of those who believe that the Federal Government can absolutely cure all of the economic and social ills of the body politic, nor do I believe that the Government should invade every field of human endeavor and attempt to regulate those things which can be left to individual initiative.

We are now face to face, however, with a one-sided group development in our Nation. Agriculture languishes while manufacturing prospers. The farmers can not to-day live according to the American industrial standards with less than one-tenth of the annual income.

There are only two possible methods to grant adequate relief:

1. Reduce the price of the farmer's necessities and his necessary expenses.

2. Lift the price of the farmer's products.

Many claim that a lowering of the price of what the farmer buys would take away from the profits of manufacturers and to this extent might lower the industrial standards. There is no doubt, however, that industrial tariffs should be lowered in many instances, although it is apparent that this will not be done within the near future.

The present Farm Board can at best promise little rise in the price of the farmer's products. Improving methods of sale and distribution may save some waste and thus slightly contribute to the farmer's pocketbook. These measures, however, can never be more than negligible factors in lifting agriculture to the standard of manufacturing. Instruction, cooperation, and research can not do it. The proposed "fewer farmers plan" would only increase the present great army of unemployed. The plain fact is that money has been taken from the farmer group to raise the standards of other groups since the beginning of our national history.

FAIR TREATMENT FOR FARMER

The farmer is entitled to a share of the tariff bounty bestowed upon the manufacturing industry. In no other way, unless by a reduction of industrial tariffs, can he secure fair treatment. For instance, the cotton farmer pays a part of this bounty on practically everything he buys. He gets no direct return for this tribute.

There is a possibility that great cooperative combinations, such as have been suggested, may be subject to manipulations by unscrupulous men to the disadvantage of the farmer. Furthermore great combinations call for more organization men, whose wages must be borne by the farmer. The cooperative movement has many advantages, but it can not be considered as a complete panacea for the farmer's ills.

Conservative estimates place the increased price of American consumption of manufactured goods as a result of the tariff at \$4,000,000,000. The export debenture plan, defeated in the Congress, would have diverted some of this bounty to the farming industry. As it is, the farmer has no direct share in the tariff bounty. Justice demands either that the bounty be withdrawn from manufacturers or else divided with agriculture. In no other way can these industries stand on an equality.

The tariff-bounty policy seems to be firmly entrenched. Mr. Hamilton originally pointed out the necessity of dividing its bounty benefits with agriculture. When the farmer received only \$80,000,000 through the Department of Agriculture in 1928, out of a tribute of \$4,000,000,000

one can readily understand why the American farmer is poor and the American manufacturer is the richest in the world.

There are many ways this division can be made without lowering the American standard of living. The export-debenture plan is one. The Government could spend some of the \$600,000,000 collected on import duties in 1928-29 for the cause of rural education. Studies show that in some States the farmer spends 80 per cent of his net income for taxes. The farmer could be benefited by governmental aid to rural schools, and additional Government funds could be used to great advantage in the building of more rural roads and in the establishment of public-health centers throughout the Nation.

WASHINGTON CRIME CONDITION

Mr. BLEASE. Mr. President, I ask permission to have printed in the RECORD an article appearing in this morning's Washington Herald, which is entitled "Pierce Asks Hoover to Curb Crime Here."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From The Washington Herald, Monday, October 28, 1929]

PIERCE ASKS HOOVER TO CURB CRIME HERE—COURT'S HOURS TOO BRIEF, IS HINT OF PASTOR TO COOLIDGE—IS IT TRUE, HE ASKS, THAT THE JUDGES WORK ONLY FOUR HOURS DAILY AND FIVE DAYS A WEEK?

Centring the police department, district attorney's office, and local courts for laxity and delay in making arrests, prosecuting, and inflicting punishment in liquor and murder cases, Dr. Jason Noble Pierce, in the First Congressional Church, yesterday joined Senator BLEASE in calling upon President Hoover to remedy Washington's crime condition. He said:

"Failure to enforce the law does more to impair the reputation, good order, and discipline and morale of the police force than all the Doyles and Allens in America could ever be accused of doing."

Doctor Pierce contrasted the mishandling of the McPherson case by Washington police and continuance of Chief of Police Pratt with the prompt demand by Mayor Walker for resignation of New York's police commissioner for failure to solve the Rothstein murder.

QUESTIONS WORKING DAY

His remarks about conditions in the local courts were particularly pointed. He said:

"Is it true that courts do not open until 10 a. m., take an hour off for luncheon, and close at 3 or sometimes 4 o'clock? Is it true that the courts function on an average of five days a week? Is it true that judges take a three months' vacation? Is it true that courts often adjourn because judges are indisposed or enjoy poor health? If in the Army all officers must be fit for duty or retired, should not the same apply to judges?"

Doctor Pierce said he has never seen Allen or Doyle to his knowledge and holds no brief for them, though he wishes them well.

The minister's comparisons of the Rothstein and McPherson murders were particularly caustic. He said:

"In New York City some months ago a gambler named Rothstein was murdered by a party or parties unknown. The police commissioner was notified that he must find the murdered or resign his position. Failing to find the murderer, he was compelled to resign, and he died of a broken heart."

IT'S DIFFERENT HERE

"How differently we proceed in Washington. A young woman meets a violent death on September 13. The heads of our detective bureau announce it to be a suicide. Largely upon their testimony as presented by one of them, and without hearing other witnesses, excepting three doctors, a coroner's jury of six men, acting in a manner which the grand jury pronounced to be 'merely a matter of form,' found the death suicidal. Possibly it was true."

"But the grand jury was led to investigate the event, and the grand jury pronounced it murder and indicted the man it found guilty. The grand jury found that the heads of the detective bureau showed ineffectiveness, destroyed evidence, failed to interview important witnesses; while under oath attempted to mislead the grand jury; told other witnesses what they should testify and what to forget, and in view of these findings the grand jury requested the superintendent of police and the district commissioners to suspend these two officers (Inspector William S. Shelby, former chief of the detective bureau, and Lieut. Edward J. Kelly, former chief of the homicide squad) from their duties pending investigation."

"The answer of these authorities is to transfer these officers with pay and without trial; but to suspend without pay and with trial Officer Allen and Captain Doyle."

WANTS PUBLIC AROUSED

He called for an awakening of the citizens of the National Capital to these and similar existent conditions. An aroused public will produce aroused officials and aroused public officials will indorse the law, he added.

Doctor Pierce blamed the district attorney's office for many unwholesome conditions. After asking whether Allen and Doyle were correct

in stating that a stockbroker, recently arrested, had twice before been indicted but never tried, although several years had elapsed since indictment, Doctor Pierce said:

"Could this be so if the United States district attorney's office is aroused and efficient?"

Doctor Pierce cited several recent police cases of apparent laxity of investigation and prosecution on the part of the district attorney's office and the police department.

In referring to the murder of a negro janitor about a year ago in a reputed gambling establishment near the church, he said:

"At the coroner's inquest, in the presence of police, detectives, and an assistant district attorney, while under oath, one of the two men employed to run the joint swore that he was paid a salary by the proprietor of the place, whom he named, and said to be a well-known gambler."

MYSTERY UNSOLVED

"The murder mystery remains unsolved, but the gambler named under oath as proprietor was never investigated in connection with the murder, nor was he prosecuted for running one more gambling establishment."

"Why not, if the United States attorney's office had been aroused and efficient?"

Doctor Pierce also charged the district attorney's office with being slow in bringing about the indictment of a well-known bootlegger whose establishment, located but a few blocks from his church, had been raided on numerous occasions and large amounts of liquor confiscated.

These facts illustrate a general and demoralizing condition, he said.

"I do not question the honesty of the United States attorney's office. I affirm, however, that this condition could be vastly improved if the United States attorney's office were aroused and efficient."

Doctor Pierce said law violations are increasing in Washington. There is more systematized bootlegging, illicit manufacture, and sale of hard liquor than there was five years ago, and these evils never go alone, he pointed out. Boys and girls, as well as men and women, are now selling whisky in Washington, he said.

CLERICAL CORRECTIONS IN TARIFF BILL

Mr. SMOOT. Mr. President, will the Senator from Connecticut yield to me for a moment?

Mr. BINGHAM. I yield.

Mr. SMOOT. There are some 20 or more paragraph numbers in the bill changed from the House numbers. This was made necessary on account of the changes made by Senate amendments. I ask unanimous consent that wherever there is a paragraph number changed the clerks at the Secretary's desk be authorized to make the change without the necessity of offering a formal amendment on the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

PERSONAL EXPLANATION

Mr. BINGHAM. Mr. President, I rise to a question of personal privilege.

On Friday afternoon last I received from the Senator from Arkansas [Mr. CARAWAY], the chairman of the so-called lobby investigating committee, a copy of a report which he said the committee had authorized him to make, and that he would present it Saturday morning. I read the report. In view of the set-up of the committee, I was rather surprised that it was not more severe. I was tempted to write a letter to the Senator from Arkansas pointing out several things in the report which either were not accurate or were misleading; but I decided, in view of the general fairness of the statement made in the report, that I would not do so.

I did not know that the Senator from Arkansas when he presented the report was to make a speech in which he would go far beyond the report in attacking me personally and in attacking the Connecticut Manufacturers' Association by innuendo, by torturing and twisting the evidence, by implication, and occasionally by a misstatement corrected a few moments later with an expression of some doubt as to whether the statement was quite correct.

I was so amazed by his speech that I was in doubt as to whether to reply to it or not. But having given the matter some thought and finding that there has been a general misunderstanding of the situation, I have decided that it is due to me and to my constituents and to the Connecticut Manufacturers' Association to make a reply.

I had thought not to reply because when the matter was first brought to the attention of the Senate I made a statement, in which I told briefly what had happened. When Mr. EYANSON and the officers of the association were called before the committee I asked the privilege of making a fuller statement, which privilege was granted. At the end of it I was subjected to a long and grueling cross-examination, in which the implication was frequently brought out that I was either concealing something or telling an untruth.

Methods familiar to police courts, methods familiar to criminal lawyers engaged in endeavoring to make a criminal contradict himself, methods of cross-examination tending to throw a slur upon the person under examination were used in a manner which amazed those who were present. But perhaps it was to be expected that a committee set up as this committee was set up would use methods of that kind. I have been criticized by several of my friends for appearing before the committee at all. They could not understand, they said, knowing how the committee had been framed against a friend of the administration, why I should have subjected myself to making any statement before it.

Mr. President, it was utterly incomprehensible to me that five Senators selected for the purpose of investigating lobbyists and meeting as a subcommittee of the Judiciary Committee would conduct themselves, or that some of them would conduct themselves, in the manner in which they did. I had not supposed there was so much unfairness in a group of Senators; I had not supposed that, for political purposes in order to gain political ends and in order to damage the reputation of a New England Senator, an administration supporter, they would go to such extent as they did.

I was cross-examined by one member of that committee, who asked the same question half a dozen times, as one would of a witness in a criminal case, in the hope that I might contradict myself or might not always make the same reply.

I could not help wondering how this particular Senator could maintain such a high moral standard when it is perfectly well known—or, rather, let me say it is a matter of current report—that he himself took a policeman from the Capitol police force last summer and used him as his private chauffeur to drive him to his home in a Western State at Government expense, the policeman drawing his pay the while.

Mr. BLAINE. Mr. President, will the Senator yield for an inquiry?

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Wisconsin?

Mr. BINGHAM. I should prefer to finish my statement before yielding.

The VICE PRESIDENT. The Senator from Connecticut declines to yield.

Mr. BLAINE. I think it very essential, Mr. President, now that the Senator from Connecticut name the Senator to whom he refers. I know whom he has in mind, and I want him now to name that Senator.

Mr. BINGHAM. I have made no reference to any particular Senator.

Mr. BLAINE. The Senator is casting a reflection upon every Member of the Senate; the Senator well knows to whom he refers, and I well know, and I insist now that he answer.

Mr. BINGHAM. Very well. It was the Senator from Wisconsin.

Mr. BLAINE. I will answer in turn in my own time.

Mr. BINGHAM. Mr. President, as I have stated, that committee was framed up in a way not dignified and not fair and not in accordance with the ordinary practices of the Senate. A committee to investigate a matter of this kind would normally be appointed by the Vice President; it would normally have on it a proper representation of the different parties on the floor of the Senate; but late one afternoon, with very few Senators present and without anyone being aware of the fact that it was to be brought up, a resolution was submitted empowering the chairman of the Judiciary Committee to appoint a committee of five to investigate lobbyists—a worthy object.

It was asked why should the Judiciary Committee investigate lobbyists rather than a general or a special committee of the Senate appointed for that purpose? I suppose to the public on the outside the answer was that it was the Judiciary Committee and that the matter would be handled in a judicial manner; to the public on the outside the fact would not be generally known that the chairman of the Judiciary Committee, who would appoint the committee of five under the resolution, was, perhaps, the only chairman of any committee in the Senate who in the last election vigorously and bitterly denounced the Republican candidate and the Republican platform and did his best to secure a victory of the Democratic Party.

I have wondered how, under those circumstances, he could have maintained his willingness to be the chairman of that committee. However, be that as it may, the committee which he appointed was singularly framed against anyone supporting the administration. On the Judiciary Committee there are 17 members. Of those 17, 7 are Democrats, 7 are administration Republicans, and 3 are antiadministration Republicans. A committee of 5 might have been supposed to have included at least 2 Democrats, 2 administration Republicans, and 1 antiadministration Republican.

Mr. NORBECK. Mr. President, may I ask a question?

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from South Dakota?

Mr. BINGHAM. I yield.

Mr. NORBECK. Does the Senator from Connecticut suggest that investigations should be handled only by administration Republicans?

Mr. BINGHAM. I suggested that a committee naturally would have consisted of 2 Republicans, 2 Democrats, and 1 antiadministration Republican, which would have at least given the antiadministration forces a majority of one; but instead of that the committee consisted of 2 Democrats, 2 antiadministration Republicans, the only other antiadministration Republican besides the chairman, and 1 Republican; in other words, the committee was framed up 4 to 1 against any administration Senator, against any administration interest.

Being "framed up" in that way, Mr. President, it is not surprising to observe how the committee has acted. Having been appointed to consider lobbyists, when it got before them one of the lobbyists, well-known as an aggressive and active lobbyist on behalf of the fishermen of eastern New England, who has been referred to in the speeches and in the records as Mr. Cooley—when the committee got this lobbyist before them—a paid lobbyist and well known as such—no questions were asked of him in his capacity as a lobbyist. He was not investigated as a lobbyist. The interest that the committee had in him was to show whether or not he had been prevented from annoying me. He testified under oath that he had not been permitted to see me and had not seen me. He is in error in that regard, because I was called out of the committee room to see him and went out and talked with him for some time, until, as is common with lobbyists, he became rather emphatic, not to say abusive, and I told him I did not care to hear any more, and I told Mr. Eyanson that I did not care to interview him again.

Furthermore, after the tariff hearings were all over and recently since the Senate has begun its session, he sent an old friend of mine and a friend of his to see me to ask me to see him again. I told this friend that in view of the attitude he had taken in the only interview I had with him, I did not care to talk with him again, which has been my attitude, Mr. President, with regard to a large number of lobbyists, who waste our time and are inclined to be abusive, if not even threatening at times.

I merely mention that, Mr. President, to show that this committee, appointed to investigate lobbyists, was far more interested in damaging the reputation of a Senator, was far more interested in politics, was far more interested in making it difficult for any New England industries which have been suffering, for any New England workingman who had been out of employment to secure an increase in the tariff that would more nearly equalize the difference in the cost of production here and abroad—the committee was far more interested in that sort of thing than it was in investigating lobbyists.

The committee had Mr. Eyanson on the stand during the part of an afternoon and three hours and a half the next day, and yet they knew that in the ordinary sense of the term "lobbyist" he was not a lobbyist. There is nothing whatever in the testimony, there is no reason whatever to believe that he ever approached any Senator on the Finance Committee, or any Senator not on the committee, improperly or with any suggestion in regard to rates or with any argument that rates should be changed, except myself, who invited him down here to give me the facts in order that I might make up my mind as to what was best to do. I had supposed, Mr. President, that I had sufficient integrity and sufficient judgment to decide when the facts were given to me whether or not a case had been made out for an increase in rates. But, of course, those who differ with me politically have been ready and anxious to imply that such a thing is incredible and impossible, and that there was something corrupt about my dealings with Mr. Eyanson; that there was something corrupt about my having him down here.

In the report made by the committee and printed on page 4922 of the RECORD an attempt has been made to injure my friend Mr. J. Henry Roraback, the chairman of the Republican State committee of the State of Connecticut, and to drag him into the imbroglia, into the mess which has been created chiefly in the mind of the chairman of this committee.

It is stated that by arrangement between Mr. Hubbard, the president of the association, and myself, an arrangement entered into at the office of Mr. Roraback, the chairman of the Republican State committee, Eyanson was deputed as aide. If there was ever a nasty insinuation, if there was ever evidence that this is a political matter, it is the bringing in of Mr. Roraback's name and his position in that particular case, for the facts are these, Mr. President: I was in Hartford but a few hours. I was staying at the house of my friend, Mr. Roraback. I

wanted to interview Mr. Hubbard with regard to the character of the assistant who was to come down to help me with the facts. He had in mind two or three men. He wanted to talk the matter over with me to find out just what kind of an assistant I was seeking. It was more convenient to meet in Mr. Roraback's office than anywhere else. When he came to Mr. Roraback's office, Mr. Roraback very kindly put at our disposal a room in his suite that was not occupied. Had he been present at the interview the committee would have raised another smoke screen over it and accused us of making a political bargain. The fact that he was not present at the interview was used by a member in the committee room as evidence that the bargain was so corrupt that even Mr. Roraback could not be present. That is the kind of methods this committee has followed. You are damned if you do and damned if you don't; but they are going to get you. That has been their purpose from the beginning.

Take the matter of my having sent a check to Mr. Eyanson: After he had been assisting me for four or five months, from April to August, and the need for his assistance was all over, and the committee had ceased to meet, and I had sent him back home, I sent him a check for \$1,000. Mr. Eyanson is the type of man who earns easily \$10,000 a year, would easily earn a thousand dollars a month. I could not afford to pay him \$5,000 for his five months of service. I sent him what I could afford to send. Had I not sent him a check, this committee would have raised to Heaven a stench that I had accepted his services, had used him day and night, had seen him work in the office frequently until after midnight trying to dig out the facts, trying to help me in every way, and had accepted it without giving him a cent, and would have raised the finger of scorn against me for having accepted this without even giving him a slight compensation. Because I did send him a check there is something crooked in it, something to be concealed.

This is the way the committee have behaved from the beginning. Every little bit of flimsy testimony that could be twisted against me they have twisted. In no sense have they ever been fair. In no sense have they ever assumed that I had any worthy or honorable motives. They have even gone to the extent of implying, and the Senator from Arkansas implied in his speech on Saturday, that there was something behind the letter which I frankly read into the Record and gave the committee, in which I asked the manufacturers' association if they could loan me a competent person who was familiar with all the interests of Connecticut, not only manufacturing but all the interests of the people, who knew the fact. Senator CARAWAY even implied on Saturday that I had made some kind of a corrupt bargain before that letter was sent; that that letter was a blind. He did not charge that directly. They have been too clever to charge things directly; but by indirection, by innuendo, by twisting of flimsy testimony, they have in every way possible endeavored to damage my reputation, to attack the State from which I come, to attack the manufacturers' association, which never by word or deed or implication made any sort of a bargain with me. They have implied, even, that I put certain money in my pocket.

In his speech on Saturday Senator CARAWAY referred to the salary which Mr. Eyanson received for one month and two days while he was under the discipline of the Senate, and went on the rolls so as to be subject to the discipline of the chairman of the committee, and to be obedient to him in the matter of being told what could be given out or what could not be given out, just the same as the other secretaries in the room, just the same as the other employees. When he received that salary he came and gave it to me, and I gave it immediately to the clerk who had been doing exactly the same work that he had done previously; but what does Senator CARAWAY say?—

The Senator took it and put it in his pocket without a word.

A moment later, realizing that that was a pretty serious charge, and that there was not a grain of truth in it, that I had never put it in my pocket, he added:

I do not think, however, there is any doubt but that he gave it to Mr. Barry, who had been a clerk of the committee.

Mr. CARAWAY. Mr. President, will the Senator yield to me?

Mr. BINGHAM. I did not interrupt the Senator when he was attacking me. I should prefer to finish my statement.

Mr. CARAWAY. All right, then.

Mr. BINGHAM. I sat here on Saturday, Mr. President, and listened to one innuendo after another, listened to my reputation and my honor being impugned in one manner after another, and I was amazed that a Senator of the United States could so far forget himself as to stand in his place and cast that kind of innuendo, that kind of implication, for political reasons.

The time has come, Mr. President, to speak plainly on these matters and to call attention to the way in which the testimony has been twisted and turned in an effort to besmirch my reputation and that of Mr. Eyanson. The committee was convinced that when Mr. Eyanson was in the room with the majority of the committee he used the information which he gained there to inform Connecticut manufacturers of what was going on. Mr. Eyanson was told to give that information to nobody. It is my belief that he gave it to nobody. All that the committee has been able to find to disprove this has been the memorandum referred to in Senator CARAWAY's speech on page 4922, this memorandum which is given in the report—a memorandum dated Hartford, August 30, 1929; a memorandum to Mr. Eyanson from Mr. Wuichet headed "Subject: Information for Senator BINGHAM," in which there is a reference to telephone conversations with a member of the Crescent Firearms Co. and a member of the Davis & Warner Arms Co., both of Norwich, in reply to an inquiry originating with one of them, in which Mr. Wuichet informed these gentlemen that "Senator BINGHAM met with very strong opposition to the 10 per cent duty on rough-bored shotgun barrels," and so forth; that "three influential members of the Senate Finance Committee, Senators SMOOR, chairman, REED, and EDGE," had opposed it, and that I considered it "a decisive victory to have held the duty where it now stands."

The committee says in its report:

It is obvious from the memorandum that Wuichet, who was in Hartford, Conn., at the time the memorandum was written, had information concerning some of the proceedings in the secret meetings of the majority members of the Finance Committee.

"It is obvious," says the committee!

Mr. President, that is one of the most unfair statements that could possibly be made; for it is not only not obvious, but had the committee referred to the date of the memorandum—August 30, 1929—they knew as well as I know that 12 days before that date every rate in the bill had been given to the minority members. All of the schedules in Titles I and II of the bill, containing the rates, had been given out to the public, to the minority members, 12 days before this memorandum. Furthermore, the committee are pleased to think that a fight went on in the committee. It is not so stated; but they are so willing to believe anything wrong, they are so willing to point the finger of scorn and accusation, so willing to tarnish the reputation of a Senator, that they say it is "obvious" that this is something that occurred in the committee.

As a matter of fact, Mr. President, as was shown on the floor the other day, one of the Senators referred to did not remember that he had opposed it. As a matter of fact, there was no roll-call vote on these rates. So far as I can remember—it is difficult to remember all that went on in a committee room for a period of six weeks—but, so far as I can remember, there was no fight over this rate. There was no prolonged discussion. If, in his enthusiasm over the fact that the officials for these arms companies were pleased that the duty had not been raised, he attributed to me a victory, it was the indiscretion of youth. There was nothing wrong about it. No information was given him as to what went on in the committee room.

The discussion with regard to the shotgun barrels, so far as I can remember it, Mr. President, went on before the committee went into executive session at all. I was called upon by representatives of the companies interested in having a lower duty on shotgun barrels. I said I would see what I could do. My recollection is that I spoke to one of the Senators on the committee, and found that he was in favor of an increase, and that I told them that as he was a member of the metals committee, there probably would be an increase. Then, 10 days after the rates were published, they telephoned from Hartford to find out whether it was true that the rates were not increased. They found that it was true that they were not increased. They were pleased; and, in an effort to please me, a memorandum from the person doing the telephoning was sent to Mr. Eyanson, for him to communicate the fact to me, if he so desired, that these people were pleased, and that they had been told that I had achieved a victory.

In using those words, the clerk committed an indiscretion—an indiscretion frequently committed by our friends who claim for us more than is due; but what does the committee do with this? Unable to find that Mr. Eyanson had given out a single rate or a single thing that occurred in the committee room, since he was told not to, they adduce this memorandum dated August 30, 12 days after the rates had all been given out, and adduce it as testimony and evidence that something had been given out from the secret committee room, and say, "It is obvious

from the memorandum that this person had information concerning some of the proceedings in the secret meetings."

That is the type of thing to which I have been subjected, Mr. President. Every effort has been made to turn and twist flimsy evidence so as to make it appear that I was crooked, that I had entered into a corrupt bargain; and, speaking of the word "bargain," Mr. President, I am reminded of another thing which Senator CARAWAY so gently and in his inimitable style brought out in his speech on Saturday.

He referred to a letter from Mr. Hubbard to Mr. Eyanson—a letter dated July 19. He quoted from parts of it. I should like to read the whole letter; then I shall comment on it, particularly with reference to his comments.

"MY DEAR EYANSON: Captain Dower and I both had our bags packed to start for Washington this morning, and personally I have been a bit inconvenienced, for Otis, who is on from Chicago, had telephoned me that he could go up to Camden for Sunday; and, as you can well imagine, I would have enjoyed doing this more than almost anything that I can think of. However, I understand your position, and Bill and I are now planning to try and arrange to come down next week, say, on Thursday.

"An executive committee meeting has been called for next Tuesday afternoon, when we will take up the question of a nominating committee and any other matters which are on our file.

"I want you to prepare the way for me with Senator BINGHAM regarding your tenure of office in Washington."

That is a phrase that sticks in the gullets of the people who are trying to damage my reputation; and I shall come back to that in a moment.

You have done a great deal more than we ever bargained for—

Another phrase that they have used as part of the evidence that I am to be condemned for what I did in this matter—

more than we ever bargained for in the beginning, and undoubtedly the results which you have accomplished are far-reaching and will bear fruit for some time to come. At all events, in the past the association, when any tariff matter came up, was always dependent on Senator McLean. Now we are in a position where we can handle it here in the office. I want you to get out and plan with Mrs. Eyanson for the month of August in the sun on the shore, as you originally hoped to do, and then in September you will be fit as a fiddle to tackle your job here. Please help me carry out this program, for there is no question in my mind that you could find forever a permanent lot of responsibility and useful activity for the rest of your life in Washington.

I can appreciate what a pleasure it will be for you to see Mary Lou and your good wife again, and I would be glad if you would show this letter to Mrs. Eyanson and ask her to help me make you perform in the manner indicated.

With kind regards and expecting to see you next week,

Very truly yours,

Signed by Mr. E. Kent Hubbard, president of the association, a distinguished Democrat, nominated at one time for Lieutenant Governor of Connecticut on the Democratic ticket, and prominently mentioned as a candidate for the Senate when I first ran for the Senate.

Mr. President, what are the facts with regard to this letter? Senator CARAWAY implies a great deal to the discredit of the association, to the discredit of Mr. Hubbard, to the discredit of Eyanson, and to my own discredit. He implies that some kind of a corrupt bargain was entered into. It has been the purpose of this committee from the beginning to attempt to damage my character and my reputation. It has been their purpose from the beginning to see to it that I should come out of this just as befouled with political slime and innuendo as possible. They have used this letter and twisted and turned it in their efforts to do that.

Let us take one of the sentences to which they refer:

I want you to prepare the way for me with Senator BINGHAM regarding your tenure of office in Washington.

When asked by a member of the committee what was meant by "tenure of office," Mr. Eyanson replied that it had to do with the fact that he had already been here longer than he had anticipated. Did the committee believe that? Not for a moment. Why, that was altogether too simple; that was altogether too honest, too natural, and there was not anything crooked about it; therefore they did not believe it. As a matter of fact, when I asked for the loan of Mr. Eyanson, nothing was specified about the length of time. It was hoped that the matter might be disposed of in a few weeks.

As secretary to the president, Mr. Eyanson was needed in the Hartford office. Two or three times he spoke to me about the fact that Mr. Hubbard was anxious to get him back. He was helping me to such a degree, by looking up information

and by getting together the facts, that I did not like to let him go.

Finally, Mr. Hubbard decided to come down here and see me himself, and endeavor to persuade me to let Mr. Eyanson go back to Hartford. So he writes:

I want you to prepare the way for me with Senator BINGHAM regarding your tenure of office.

There is a phrase which the committee has taken against me because they desire to damage my reputation. Had they been fair, had they been judicial, they would have accepted the statement of Mr. Eyanson, under oath, that it referred to the length of time he was here, and that it was not expected that he would have to be here as long as he was, or that the Finance Committee would be meeting as long as it did.

A little lower down in the letter Mr. Hubbard requests that he show this letter to Mrs. Eyanson and "ask her to help me make you perform in the manner indicated." It is perfectly obvious from that what is really meant. Mr. Hubbard knew that Mr. Eyanson, a distinguished veteran of the World War, who had seen service at the front and had suffered shell shock, who had twice had a nervous breakdown since the war, was the type of man who was always willing to overwork himself, who got tremendously interested in his job. I testified before the committee that frequently he worked in the office until midnight and afterwards. His friends were afraid that he was working too hard. The association wanted him back in Hartford to attend to its own matters, to help with the organization executive committee meetings. An executive committee meeting was about to take place. They wanted to get him back. They wanted him first, during the month of August, to go on a holiday at the seashore with his wife and child. They wanted his wife to help persuade him to take this vacation and come back to Hartford.

There was nothing whatever that anyone need worry about in that, were it not the determination of the chairman of the committee to cast all the slime that he could upon my reputation, and make it appear that there had been some kind of a corrupt bargain, some kind of effort to hold office in Washington that had not been proper.

In the next sentence Mr. Hubbard says:

You have done a great deal more than we ever bargained for in the beginning, and undoubtedly the results which you have accomplished are far-reaching and will bear fruit for some time to come.

Oh, those words "bargained for"; how they have emphasized the word "bargain," how they have used it to prove that I made some kind of a corrupt bargain. They could not prove it, because there never was any bargain, there never was any corrupt bargain; but by innuendo, by delicate transposition of words and implications, this word "bargain" has been played upon.

Of course, I can readily forgive the Senators for misunderstanding that phrase, for there was nobody on the committee who came from the northeastern part of the United States, no one from east of the Alleghenies, no one from New England, of course. It is not known that in New England we have a phrase, "You got more than you bargained for," meaning you got more than you expected to get, meaning you got more than you thought you were going to get. You go out in the rain to bring in your car, an extra shower comes down, and you come in wet through; your family laugh at you and say, "You got more than you bargained for when you went out."

In the West there is an expression for a man's intimate personal friend. He is frequently referred to as his "side kick." You went out with your "side kick." "So-and-so is your side kick." What would be thought of the intelligence of a New Englander did he use that to imply that the man who went along with you and was your friend had kicked you in the side?

The matter is utterly ridiculous. There was no bargain. That is a phrase in common use. Had the committee desired to be fair, had the committee been really interested in investigating lobbyists, who go around to the rooms of Senators and use all the means in their command, either by threats or promises, or any other means, to get them to change their votes, vote the way they want, to pledge them to vote the way they want before they have even heard the debates in the Senate, as everybody knows is done over and over again—had the committee really been interested in its job of investigating lobbyists, instead of interested solely at this time in damaging my reputation, in damaging my honor, in making it appear that I was a party to a corrupt bargain, they would have accepted that. But, oh, no, that is not their plan. So they use that little homely phrase as evidence that there must be some corrupt bargain here.

They even imply that my statement made before the committee when I showed them this letter, that the idea of having an assistant here from Connecticut who knew all about the affairs of the tariff, so far as the State was concerned, came from me originally, originated with me, and was met in a friendly manner by the association—they even imply that that is not true; that there was some kind of a previous understanding. With all the keenness of lawyers accustomed to cross-examine witnesses, to go to the utmost extent, they could not find that there was any such meaning, but they implied there must have been.

Remember, Mr. President, that when this committee sits as a modern Spanish inquisition the unfortunate man on the seat before them is denied advice of counsel; he sits there subject to any examination they choose to give him; he is even told, as one of these Senators shouted at me, "Answer yes or no."

Everyone knows that those are the manners that are frequently used to bulldoze witnesses in a court, but when that happens, the judge generally says to the lawyer, "Now, be a little easier. Do not attempt to bulldoze this witness. Let him answer that question in his own way." But in the case of this inquisition, Mr. President, there was no kind judge present, there was no friend there to say, "That is not a courteous or a dignified or a proper way to question a Senator of the United States who has come here at his own volition to tell us his side of this story. We will question others and find out all we can about it."

No, Mr. President; the effort was made over and over again to get me to contradict my testimony, to say something which would mean one thing to the committee and another thing to me. I was put on the grill in order that those who are opposed to this administration, in order that those who are opposed to having any increase in the tariff except on agricultural products, might have their way.

Although the President called us together to consider the relief of agriculture, and the necessity of increasing the tariff on agricultural products, he also called attention to the fact that there were certain industries which, due to the economic changes in the last seven years need protection, that there were certain industries in which there was unemployment, and I can say, Mr. President, that in the meetings of the majority members of the committee, held, as they were, behind closed doors, for our own protection, in order that we might not be deluged with letters and telegrams from those who had proposed some rate we had just voted upon, we were surrounded by the experts of the Tariff Commission. There was never a time when there were not six or eight other persons in the room, other employees of the Government, who, at times, were perhaps a little bit too talkative after they left the room. But even they would never testify that there was any effort to increase an industrial schedule except where it could be shown that the particular article under consideration was being made at a loss, where those making it were faced with unemployment; where the foreign cost of production was so much lower than the American cost of production that the present duty was not sufficient to meet that difference in the costs of production.

They could testify, if they chose, for instance, that when the matter of wire netting, a product manufactured in Connecticut, came up, I called the committee's attention to the fact that there was one small town in Connecticut that had only this one industry, making wire netting; that recently the German importation of wire netting was at a price which made it impossible for this little town to remain prosperous in its business, and that unless relief were obtained, the industry of that town would close down, and the people would have to go and find work elsewhere, and give up their homes. Accordingly, an increase was made in that particular.

I called the committee's attention to the fact that another little town in Connecticut makes only bells. It is known as the "Bell Town." For about 125 years or more that has been its industry. The industry has been in the hands virtually of one family for four or five generations. Recently little electric bells, which are one of the principal parts of that industry, have been laid down in New York by German importers at one-half the cost of production in that town, owing to the high wages paid the workmen. Everybody in that town depends on the bell industry. I laid those facts before the committee. The committee listened to what I had to say, and voted to recommend a rate which, although not equalizing the difference, would at least render some assistance.

Those were the kinds of things that were done in the committee, Mr. President. It is true that some companies have been prosperous in general, but that some of the things they are making have been made at a loss, and where they were able to prove it to us, we voted to give them increases in the rates on the particular things they were making at a loss, and which they could not be expected to make, with the result that the work-

men would be thrown out of employment, if protection were not afforded.

The Connecticut Manufacturers' Association, Mr. President, never asked for a single unreasonable thing, never asked for any of the things which have been implied on this floor, that in order merely to increase their exchequer, in order merely that the manufacturers of Connecticut might add riches to riches, now making things at a tremendous profit, they should be enabled to increase that profit. Nothing of that kind was asked.

The evidence brought out in executive session was evidence tending to show unemployment and its cause and the likelihood of its increase.

The most the lobby investigation committee could do was to say that the manufacturers' association, instead of raising a large fund to be used to entertain Senators by public dinners or other means of influencing them, had furnished me at my request with one of their most highly paid officials to bring to me the facts as I needed them, and they had paid his expenses down here during the months he was here. No slush fund was raised, nothing improper occurred, and yet to listen to what has been said on this floor one might suppose that they had done something which would lead the country to point the finger of scorn at them; one might suppose that they had done something which would actually bring discredit upon the Senate of the United States and upon the Senate Finance Committee.

Every effort has been made to play dirty politics. Nothing has been stopped at which could in any way be twisted against my reputation as representing the State of Connecticut, against my having asked for the best information I could obtain from that State. I asked for the man in Connecticut who most knew all about the bill, who had attended all the hearings in the House, not only those on the manufactured articles, but on all of the schedules, who had spent months of study on the bill and knew more about it than anyone else. I used him in an entirely proper manner. When he gave me facts which did not seem to me to warrant an increase, I did not ask for any increase. When he gave me facts which seemed to me did warrant an increase in order to prevent unemployment and suffering, I asked the committee for the increase. Sometimes I succeeded in persuading the committee; sometimes I did not.

All this innuendo regarding corrupt bargaining, regarding tenure of office, regarding use of a clerk on the Government pay roll, has been brought forward, Mr. President, simply and solely for political purposes and in an effort to damage my reputation. As I stand here in all this situation I only wish that the people of the United States, many of whom have been led by reports and by the speeches that have been made not only on the floor but over the radio, and in circulars which have been sent out accusing me of moral turpitude, could know that neither the Connecticut Manufacturers' Association nor myself committed any improper act. We did not use money in any improper way. I myself did not profit to the extent of one dollar by any of the companies concerned in the raises involved. The Connecticut Manufacturers' Association was looking after the interests of its members just as all the associations represented here by lobbyists looked out for the interests of their members.

It has been stated here on the floor of the Senate that in 1922 a committee of farmers interested in raising the tariff on farm products were permitted to write the very clause that went into the law. Has anyone on the other side of the aisle said that that was improper, that those interested so personally and so selfishly as were the members of that committee were improper in writing rates which were put into the bill as they asked them? It is natural, Mr. President, that farmers shall look out for their interest just as manufacturers look out for theirs. No one has claimed wrong motives on the part of the very able and distinguished lobbyist of the American Farm Bureau, who appeared before nearly all of the subcommittees and made speeches before the full committee and who endeavored his best to get the raises for things in which his people were interested.

No one has ever thought of accusing him of improper motives, I least of all. He was working for the people whose sufferings he saw. I was working for the people whose sufferings I saw. Where is the difference?

What has this committee done to call before them the well-paid lobbyists of the importers of New York, who have endeavored in every way possible to secure lower rates in order that they might make more profits, who have no interest in the American workingman or the American factories, but who only have an interest in importing foreign goods cheaper and selling things cheaper? If the committee is so interested in lobbying, why have they not called before them the actual lobbyists, who have been not only to my office but to the office of other Senators in an endeavor to influence the Senate?—Here they have branded as a lobbyist the one man we are discussing

to-day, who, so far as I have been able to discover, never discussed the tariff with any Senator except with me, never went into a Senator's private office to convince him he was wrong, never interviewed a Congressman even to attempt to get increased rates in the House. The only time he ever spoke to a Congressman was to ask if he would be willing to see some member of the association, and very properly. His actions were entirely proper.

This was not a secret lawmaking body that he came into. It was the majority members of the committee who were writing up the bill. While in the room he never addressed the meeting; he never made any remarks at all except quietly and in a whisper to me. He was there to help me, because, God knows, I knew little enough about the tariff bill, with its 21,000 items. I did not pretend to be a tariff expert. I found myself thrown into the committee at the very beginning of the tariff hearings without any time to give it any study. I explained that to the Senate. I thought the explanation was sufficient. Evidently it was not. Evidently there was an intent and purpose to defeat the bill as far as the industrial schedules are concerned, to make it impossible to get any increases no matter how much industry might show that it needs them. Evidently there is an intent to point the finger of scorn at New England, and particularly at Connecticut. The testimony has been twisted and turned by innuendo, by implication, and by every unfair means in the power of these attorneys to damage my reputation, and, Mr. President, I resent it and I shall resent it to the end of time.

Mr. BLAINE. Mr. President, the Senator from Connecticut [Mr. BINGHAM] takes himself altogether too seriously. He protesteth too much. I hope that I may not be charged likewise with taking too seriously his attempted implication of impropriety respecting some one who might have driven an automobile for the Senator from Wisconsin across the mountains.

Mr. President, if it is of any interest to the Senator from Connecticut or of any interest to the Senate, I might take myself very seriously respecting the charge that the Senator from Connecticut has made, the only purpose of which is to throw up some smoke screen against a slimy, dirty trail mapped out designedly from the office of the Senator from Connecticut to the office of the Connecticut Manufacturers' Association. But if the Senator is interested in who drove my car across the mountains, I will very gladly inform him that I drove it myself, that no Capitol policeman was requested to drive it at the cost of the United States or anybody else, and that no Capitol policeman drove that car across the mountains or anywhere else for the Senator from Wisconsin.

But I am not going to discuss that. I am not going to discuss the charges of the Senator from Connecticut against the members of the committee. I am going to discuss something else. I want to say, Mr. President, for the information of the Senate, that every member of that committee made every effort to ascertain the facts from the Senator from Connecticut, and during that examination if any disgrace has been brought upon the Senator from Connecticut by reason of the examination he brought it upon himself. Question after question was asked and he doggedly refused to answer them except through a long, involved explanation sometimes scarcely short of a speech. The simplest question which could be answered by yes or no the Senator so refused to answer—not only the questions of one member of the committee but the questions of every member of the committee. Whatever has befallen the Senator from Connecticut, he alone is responsible. The thing I want to discuss is:

The whole matter in connection with Mr. Eyanson and the Connecticut Manufacturers' Association was conceived in secret, it was born in secret, and throughout the whole proceeding it was conducted in secret. Mr. Eyanson was on three pay rolls—ostensibly as clerk to the Committee on Territorial and Insular Affairs, ostensibly as a personal clerk to the Senator from Connecticut, but in fact an employee of the Connecticut Manufacturers' Association. The fact of his employment by the Connecticut Manufacturers' Association and his payment by that association, so far as the Senate was concerned, and so far as the Committee on Finance was concerned, would never have come to light voluntarily from the Senator from Connecticut.

The Senator from Connecticut, with all the authority of a Member of the Senate, placed upon Mr. Eyanson an official cloak that permitted him to go into the executive meetings of the committee or a portion of the committee. The excuse for putting Mr. Eyanson upon the pay roll of the Senate was that he would thereby be subjected to discipline. But, Mr. President, the committee was not even in possession of any fact with respect to Mr. Eyanson's employment. The only discipline to which he could have been subjected and to which he finally was subjected was that the committee denied him the right to sit in their meetings.

Oh, no; the purpose was not to subject him to discipline; the purpose was to give him an official privilege that he did not possess as a mere personal clerk of a United States Senator.

Even when the Senator from Utah [Mr. Smoot] called to the attention of the Senator from Connecticut the fact that there were objections to Mr. Eyanson's appearing, not even then did the Senator from Connecticut inform the Senator from Utah or any other member of the Finance Committee that Mr. Eyanson was in the employ of the Connecticut Manufacturers' Association. Briefly, that is the situation that existed during the consideration of the tariff bill by the Finance Committee.

Mr. President, that which is far more important, that which concerns the people of this country over and above the Senator from Connecticut or anyone else is the fact that Mr. Eyanson was placed in a position of advantage. The rates in certain tariff schedules were increased. The Senator from Connecticut, as I have said, is of little consequence in this matter. I do not believe that it is important that the Senator from Connecticut possesses a superiority complex in respect to other Members of the Senate; that is not important. Why, the Senator from Connecticut is just a frail bark upon the ocean of life, and I do not believe that it is necessary to discuss him. It is not necessary to exaggerate his unimportance. Mr. President, it becomes very important to the American people whether or not the system or the method of writing tariff bills as has been exposed before this committee shall control and dominate the Senate and the Congress.

Let me call to the Senate's attention the fact, as submitted by the Senator from Montana [Mr. WALSH] on last Saturday, that Connecticut interests, the leading products of the State of Connecticut, have received increases in the tariff rates over existing law in 44 cases; with respect to 7, the rates are left as the law now is; and there was a decrease in but 1. As the result, however, of this secret method that has been employed a tariff bill comes before us which increases the cost to the American consumers on Connecticut products alone by \$878,000,000—almost a billion dollars. Those rates were transported down the slimy, dirty trail that led from the office of the Senator from Connecticut to the office of the Connecticut Manufacturers' Association; down that trail into the room of the Committee on Finance, and every one of the items affected by those increases comes here tainted. Willingly or unwillingly, the circumstances of this case prove at least that the Senator from Connecticut was the intermediary. I do not charge that there was any corruption; I do not charge that the Senator from Connecticut would know or did know the consequences that would flow from his act. I do charge, however, Mr. President, that this system of writing tariff bills can result in nothing short of what has been exposed in this instance, and that the tariff bill comes here tainted.

Therefore, Mr. President, that which becomes important is the consideration of the pending tariff bill in the light of the facts that have been exposed and not the importance or the unimportance of the Senator from Connecticut.

Mr. CARAWAY. Mr. President, the Senator from Connecticut [Mr. BINGHAM] makes the same defense that has been made by everybody who has been caught in an embarrassing situation. I heard it long before he used it. I can go to the police court to-morrow and hear it again. Fall availed himself of it; Sinclair and Doheny entered exactly the same complaint, and Daugherty accused me of exactly what the Senator from Connecticut accuses me when I discovered that he had done something which he wished the public should not know. So, I do not want to be harsh with the Senator; he is not indulging in any new practices; and, in fact, I know of nothing else that he could have said.

He accuses the committee of being biased politically. Well, at least the committee, then, was doing nothing clandestine. He seems to have known exactly what the committee's sentiments were, but I imagine that everybody knew that I did not make any pretension of being a New England Republican.

I do know, however, that at least two of the Senators who were attacked by the Senator from Connecticut bore a more conspicuous, though doubtless not a more enthusiastic, part in the support of the present President when he was a candidate for office than did the Senator from Connecticut. I read in the newspapers every day of their activity, and felt that they were doing us no good; and yet—I hope I shall not be offensive to the Senator from Connecticut—I never heard of him during the campaign. Doubtless he was doing great work, as did the Connecticut Manufacturers' Association, but, like Eyanson's activities, it did not get to the public's notice.

It is not particularly worth while to answer the Senator's continued reference to what did or what did not occur. He says he chose Eyanson because Eyanson had been here all during the hearings before the House Ways and Means Committee. If that

statement is true, Eyanson is not a truthful man, because he swore over and over again that he was here only two days during that whole hearing. The Senator can reconcile his statement with Eyanson's, and he and Eyanson can get together in any way that will suit either one of them; I am not concerned in it at all.

Cooley said he went over and over again to the Senator's door, but could not get admitted. The Senator stands here and says that is not true. That is a question of veracity between him and Cooley. I will take my own witness when I have to choose one of the two; and I will be perfectly willing, if the Senator wants to ask me, to say which one I shall accept; and I am not going to avail myself of any opportunity of saying that I did not interrupt the Senator and he did not interrupt me; he will be at liberty to interrupt me at any time during the course of the brief statement I want to make.

Whether or not the hearing is altogether discredited because friends of the lobbyists were not put on the committee I do not know. The Senator complains very bitterly that only those who oppose lobbying were appointed to investigate lobbying, and he charges those differing from him politically with being so biased that they could not be fair.

The Senator from Indiana [Mr. ROBINSON], so far as I know, is a "regular." I do not believe even the Senator from Connecticut, in his desperate desire to show that he had been framed, would question the fact that the Senator from Indiana is a regular Republican, who has been and is now supporting the regular Republican administration.

However, before I get to that, Mr. President, let me say this: The Senator was not dragged before the committee. Conversations went on between the Senator and myself. He is at perfect liberty to tell what they were; I shall not do so, but I do not object to his doing it right now. I can say only that we could not agree. Finally, however, through the Senator from Indiana [Mr. ROBINSON], the request came to the committee to hear Senator BINGHAM at his request. He was given his own time. He was allowed to select it. We even waived the formality of an oath. We treated him with every courtesy and consideration; and I can say that while he occupied the attention of the committee for quite a long time in his opening statement, he never revealed a single fact that the committee afterwards dragged out of him or dragged out of Eyanson or dragged out of Mr. Hubbard, of the Connecticut Manufacturers' Association, or Mr. Wuichet.

Now, at least let me say this in passing: I am informed, and had been informed before, that Mr. Hubbard was the leading figure in the Democratic organization in Connecticut. Mr. Hubbard will testify that I was not any too gentle with him; and therefore I was not protecting a Democrat and the man who threatened to run against Mr. BINGHAM. I do not see why he should run against him. There is not a single thing on which they do not agree. If he is a Democrat, a Democrat is a Republican, or Senator BINGHAM is a Democrat, one of the two; I do not care which—because after Hubbard's attention had been called to the fact that deceptions had been practiced, that a man in the employ of the Connecticut Manufacturers' Association had been brought here by Senator BINGHAM and put on the pay roll of the Government as a clerk when he was performing no duties as such, that he had drawn money from the Government and turned it over to the Senator from Connecticut or to a former clerk—and I think now, for fear the Senator will again say he is being charged with keeping it, that I should add that he knew nobody said that, and when he made that statement he was uncandid—Hubbard said, "I indorse everything that Senator BINGHAM did." In other words, he made Senator BINGHAM the keeper of his political conscience, and he said the Connecticut Manufacturers' Association likewise indorses all these deceptions that were practiced upon the Senate of the United States by the Senator from Connecticut [Mr. BINGHAM]. Therefore I do not see why he should run against Senator BINGHAM, because either one of them would have done the same thing, according to their sworn testimony.

But I started to say that nobody charged Senator ROBINSON with being a Democrat—I am talking about Senator ROBINSON of Indiana [laughter]—or having a leaning toward the progressive group that has found it necessary occasionally to oppose administration measures; and yet here are a few questions that the Senator from Indiana asked the Senator from Connecticut.

Senator ROBINSON of Indiana. I just want to ask you this question: You say he did not receive any money?

Let me go back and explain, to start with, that the Senator who now complains of not being fairly dealt with, in all the statement he made before the committee never said a word about Eyanson being on the pay roll of the Connecticut Manufacturers' Association. He never mentioned the arrangement that had

been entered into whereby Eyanson could be and was enabled to gain access to the Finance Committee until he was asked about it. He never said, and he left the witness stand without anybody knowing, that he had sent Eyanson a check for a thousand dollars, inclosed in an envelope without a word of explanation; and the remarkable part about that is that in defending his having asked for the loan of an expert from the Connecticut Manufacturers' Association he said he was paying the clerks in his office extra pay. Later on he said he was paying them. I do not care anything about that. He was not asked about it. That was his volunteered statement; and he said that he did not feel that he could employ an expert. If that was not intended to mislead, as it did mislead me, I do not know what would. He said that he was not able, that he did not feel that he was financially able, to contribute to the hiring of an expert; and for that reason, and for that reason only, he applied to the Connecticut Manufacturers' Association for the loan of a clerk, and got him some time in June, and let him go in August, and then, after he had gone home, sent him a check for \$1,000.

Why, you could have hired an expert with that. You would not have been compelled to go much deeper, at least, in your pocket to have gotten an expert. But none of that came out in Senator BINGHAM's statement in chief or on cross-examination. He was as silent as the tomb on this very significant part of this transaction; and he had had his chance before. He had stood on the floor of the Senate and discussed bringing Eyanson here as the Connecticut Manufacturers' expert, and the record shows he was never entirely open in his statement to the Senate. He did not say then that Eyanson was on the pay roll of the Connecticut Manufacturers' Association. He never intimated that. He never said anything except what was already known, and he never said anything to the committee when he asked to come before the committee in his statement in chief except what he knew the committee already knew. Whatever additional facts came out, came out on a cross-examination that sometimes was not as polite as possibly the Senator from Connecticut hoped it would be, because I take it that he thinks that because he said a thing was so, or Mr. Eyanson said a thing was so, the committee ought to have accepted that, and made no further inquiry into that matter.

Well, the investigation that resulted in developing the facts about the sale of Teapot Dome would have met with exactly that situation if it had stopped there. In every investigation that develops anything, if you just let the parties accused say, "Why, there was nothing improper in our conduct," what is the use of having an investigation? You know they are going to say that. Mr. Fall wrote a letter to the committee of which the former Senator from Wisconsin, Mr. Lenroot, was chairman, and the Senator from Utah [Mr. SMOOT] was the ranking member, in which he made a statement about his transaction. If the committee had been bound by that, the committee then would have made a report that Secretary Fall was entirely an honorable man, when everybody who dealt with him knew that he was not.

But here is what I started to say: Senator ROBINSON of Indiana asked Senator BINGHAM about this putting of Eyanson on the pay roll.

Senator ROBINSON of Indiana. I just want to ask you this question: You say he did not receive any money?

Senator BINGHAM. I said he did not put any money in his pocket.

That is characteristic of answers we got from the Senator, you know, through pages and pages of this testimony.

Senator ROBINSON of Indiana. Well, just so. Surely, Senator, you can not approve of the falsification of the record?

Senator BINGHAM. Falsification of the record?

Senator ROBINSON of Indiana. Of the pay roll; of the Government record; he signed the pay roll?

Senator BINGHAM. Yes.

Senator ROBINSON of Indiana. But did not receive the money, or he received the money but gave it to you. Surely you did not approve of the falsification of the record.

That was not Senator BORAH; that was not Senator BLAINE, or enemies of the administration, by whom the Senator now tries to make you think this whole thing is inspired. That was not myself, nor was it Senator WALSH of Montana; but it was the Senator from Indiana [Mr. ROBINSON], the "regular" about whom the Senator certainly does not complain, because he said he thought more of his kind ought to have been on the committee. Well, God help him if they had been, because they no more approved it than I did; and if there is a regular on this floor—and there are some of them—that approves what the Senator from Connecticut did, I will yield him time right now to say it. If the Senator from Connecticut wants to ask you regular Republicans if you do not approve it, I will yield to him.

to ask you, because he complains because you were not put on the committee; and if you would have done differently we will give you a chance right now to stand up and say so.

Well, there is not much consolation for the Senator from Connecticut, because none of his friends rise to approve his conduct.

Senator ROBINSON of Indiana. But did not receive the money, or he received the money but gave it to you. Surely you do not approve of the falsification of the record.

Senator BINGHAM. Senator, I do not like the use of your word "falsification." There was no falsification of it. He received the money and signed his name, and what he did with the money afterwards would ordinarily be a matter of no interest; but in view of the fact that a great deal has been made in the papers of his receiving Government money, while at the same time he was an employee of the manufacturers' association—

That speech then was cut short, not by one of us but by Senator ROBINSON of Indiana.

Senator ROBINSON of Indiana. He did receive it?

Senator BINGHAM. Oh, yes, Senator. Certainly he received it.

If that shows that the Senator from Indiana was any more merciful toward the Senator from Connecticut than the rest of us I do not exactly understand the use of the term "mercy."

The Senator says that I twisted words. The Senator can not stand in his place and call attention to a single thing I said that was not true, and he knows it. I do not commend his activity in whining about prejudice, because it is so utterly, utterly undignified; but if he thinks that is a defense against his course of conduct I have not any objection to his putting forward the only defense he thinks he has.

I know, and every lawyer knows, that when a man is being charged with something, and wants to get rid of whatever unfavorable impression he thinks might have been produced by it, he always puts forward the best defense he has. What is the defense of the Senator from Connecticut? Not that the things that we have developed in the committee's hearings are untrue; not that the things we have said about it are not facts; but that we ourselves are prejudiced against him. That is the best defense he can think of after weeks of trying to find some excuse for his conduct.

What if I am prejudiced? I did not give any testimony in this record. Whatever in this record affects the Senator from Connecticut comes from his friends, and he vouched for them before they testified, because, if anybody wants to waste his time by reading the Senator's statement before the committee he will find out that he said that he came there to tell us what fine men these men were that we were going to examine. He vouched for them as to character and information, and they wrote the record then against which the Senator from Connecticut now complains—not I, not Senator BORAH, not Senator BLAINE, not Senator WALSH of Montana, not Senator ROBINSON of Indiana. They made it themselves, and you may read it if you want to. It was difficult to get information from them, I am frank to say. The Senator says that we misread the letters and tried to put interpretations on them that the language would not justify. In other words, I take it that the Senator's defense is that Connecticut or New England has an idiom all its own; and whenever it says anything, you are not justified in believing that it means anything until you call in the New Englander that says it and let him tell you what it means.

He said we tried to drag in Mr. Roraback. We did not do that. The Senator sent a letter or a telegram to Mr. Hubbard, of the Connecticut Manufacturers' Association, and asked him to get in touch "through J. Henry." Well, we did not know who "J. Henry" was, and we asked one of his friends, and he said "J. Henry" was J. Henry Roraback, the Republican leader, as he put it, in Connecticut.

I do not know what significance there may have been about it. The Senator said he was only there a few hours. Mr. Hubbard said he was there all night, and there the next day. I do not care which is right about it. It is nobody's business that I know of, and I am not concerned about it. It is just a variance that is quite sharp in the statements; but I do not care who is right about it. There is one Democrat and one Republican, and everybody can choose his own in that statement.

The question that I raised and said something about that the Senator complained about the letter transmitting Senator BINGHAM's request for an expert, said that the Connecticut Manufacturers' Association months before had gotten in touch with Senator BINGHAM about the tariff; and then, later, Senator BINGHAM's letter making his request came as if it was an entirely new thought with him, although we have the unexplained statement in the letter of Mr. Hubbard, the president of the Con-

necticut Manufacturers' Association, that the association had approached Senator BINGHAM months before to interest him in this matter; and months before, by the way, would be before Senator BINGHAM was on the Committee on Finance at all. His transfer to that committee followed after that, and then his applying to the Connecticut Manufacturers' Association for an expert came after that.

I do not know what significance there may be connected with those events; I am not arguing them. Nor am I very greatly concerned about the other political angles to it.

The Senator said that we wanted to discredit him. I want to say to the Senator from Connecticut that nothing we can do will discredit him, but he can do and has done a very great deal to discredit himself.

Whatever there is in this record that reflects upon the Senator from Connecticut he is responsible for. The committee never added a line to it, and can not.

What we may think about it does not much concern the country, and what we shall say about it will not affect the reputation and standing of the Senator from New England. Of course, he is trying to line up New England. I do not know much about New England. I have had rather a high regard for it and have yet. I know of no more delightful people than those I have met from New England. I know of none who are more intelligent, and I peculiarly like them. I have said so on more than one occasion. I even had a very high regard for a New England former President of the United States.

I do not know how New England will react to the statement that we are trying to discredit New England through the Senator. I know that statement is expected to line New England up back of Senator BINGHAM. If it does, then I shall change my opinion about New England, because facts are the things which concern New England, and I believe New England will react unfavorably to the Senator's course of conduct. In fact, the editorials I have seen, some of them coming from the papers out of his own State, unmistakably indicate that they react unfavorably to his conduct.

There is one other thing I want to say. According to my way of thinking, there is a lot to be said about it one way or the other, but the very best evidence of what a transaction is is what the people think about it who are going into it, what their expectations and hopes are when they are securing the advantage.

Here is a letter from Mr. Davis. I referred to it Saturday, but I did not read it, and I want to read it. Davis, among others, was asked if the Connecticut Manufacturers' Association approved this plan of loaning to the Senator from Connecticut an expert. I presume they had no hope then of having him inducted into the secret meetings of the committee, but they thought he would, nevertheless, be of very great value.

Mr. SMITH. Who is Davis?

Mr. CARAWAY. Davis lives at Portland, Conn., and is the executive of a manufacturing concern. Under date of March 6, 1929, he said:

Mr. E. KENT HUBBARD,

President the Manufacturers' Association of Connecticut (Inc.).

DEAR MR. HUBBARD: Yours of the 5th at hand and I can see nothing but good come from our having a representative—

That is, the Connecticut Manufacturers' Association having a representative—

in Mr. BINGHAM's office for the tariff discussion. If there is anything that manufacturers are vitally interested in it should be the tariff, and I think that the matter of the amount we spend for such work should be left in the hands of our officials. They are in a position to pick the right man and the right man will be worth all that it costs us. I believe in this class of work you get what you pay for—

That is what one of the gentleman who put up part of the money to hire Eyanson thought about it, "You get what you pay for"—

I believe in this class of work you get what you pay for. Therefore, I am with you 100 per cent on anything that you do.

With kindest personal regards, I am yours very truly,

ERNEST S. DAVIS.

I do not know whether that is New England language that I do not understand, but as I do understand it Davis said:

This is going to give us an advantage, and I am for it 100 per cent. You spend whatever you want to, because in this kind of work—

That is, in tariff lobbying—

you get what you pay for.

Joe Grundy agrees with that exactly. He said he raised money for campaign expenses and got it back. That is the impression of the people who sent Eyanson down here, that they

were buying something, and they were going to get their money back out of it; and I am inclined to think they did.

There was a letter from Mr. Hubbard in which he said, "We got more than we bargained for." The Senator says "more than you bargained for" means more than you expected. I think that is exactly it. I never tried to twist that language. They expected good results, but they got so much better results than they expected that they were congratulating themselves and congratulating Mr. Eyanson, and they said, "Your good work will live after you."

Then they talked about results. How did they know, because the letter was written before the committee had reported the bill? They knew something about it. They were talking about it. What were the results they were congratulating themselves on obtaining?

Now, I will refer to the Wulchet matter and then I will be through. Among the records found in the Connecticut Manufacturers' Association files was this statement from Wulchet, in which he said that Senator BINGHAM had won such a signal victory over Senator REED SMOOT and Senator REED, of Pennsylvania, and Senator EDGE, of New Jersey, and he thought he ought to be congratulated.

The man who wrote that did not know the members of the Senate Committee on Finance. He knew he must have gotten it from somebody, and he said the only person he could have gotten it from was Mr. Eyanson, and Mr. Eyanson could have gotten it only by reason of the fact that he was in the committee.

At this time that is all I care to say about the matter.

Mr. WALSH of Montana. Mr. President, now that an attempt has been made to justify or defend the acts reported to the Senate on last Saturday by the so-called lobby committee, the very important question is presented of the standards of ethics and morality of this body.

An attempt is made to attribute whatever sinister aspect the matter may bear to the political animosity of the members of the committee and to the attitude they bear toward the pending tariff legislation. In that aspect of the matter, Mr. President, it is of no little importance to pay attention to how the matter has been regarded by the press of the country; and inasmuch as particular stress has been laid upon the matter of the political predilections of members of the committee, I read from the New York Herald Tribune, the leading Republican paper of the United States, if I have appraised it properly. It said:

When Senator HIRAM BINGHAM hired C. L. Eyanson, of the Connecticut Manufacturers' Association, to assist him in preparing the tariff bill his motives were unquestionably right. He felt ignorant of tariff matters—as who, indeed, does not?—and he wished to have authoritative information on Connecticut's industries at his elbow. Yet it seems clear that the fashion in which he secured advice was unsound and dangerous.

Any man has a right to hire a special secretary if he pleases.

Senator BINGHAM's action, however, went beyond this frank securing of expert advice. His whole service as secretary involved a subterfuge that seems to us indefensible. Mr. Eyanson not only conferred with Senators individually—he conferred with them when they were in committee, and received the privilege of the Senate floor.

This entrance of an outside expert, the representative of a special interest, to official committee sessions seems to us the central wrong involved. When a Senator enters a committee session he is supposed to have heard all that the outside world can tell him. He should be entering the committee room to exercise the dictates of his conscience, and no special pleaders should be present. To ignore these distinctions and unwittingly break them down, as Senator BINGHAM did, is unsound.

I suppose no one will accuse the Philadelphia Public Ledger of being actuated by any intense antagonism to Republicans or to a high tariff bill. After Senator BINGHAM's appearance upon the stand that paper said:

Senator BINGHAM's latest explanation is far from satisfactory.

The New York Post is not a Democratic paper, nor is it opposed to a high tariff. It said:

We can not recall an instance in which a United States Senator received at the hands of his colleagues a more scathing castigation than that administered to Senator BINGHAM by the Senate committee investigating lobbying.

We do not at all consider Senator BINGHAM capable of the corruption or intent which the committee tried to ascribe to him. * * * But he surely sinned against good taste, sound practice, and official proprieties. We fear that in the "rolling" he received at the hands of the committee he got just about what was "coming to him."

The Washington News, a Scripps-Howard paper, said:

BINGHAM, by his own admission, received most of his tariff information from this lobbyist and apparently voiced the wishes of the Connecticut

Manufacturers' Association in every vote he cast for higher industrial rates. To all purposes, C. L. Eyanson was the Senator from Connecticut in framing the bill.

BINGHAM, personally, is neither better nor worse than some other Members of the Senate who cooperate with the tariff lobby.

The only way that he differs with them is that in his simplicity, to call it by no harsher name, he has given the whole tariff show away. That is why the Senate Old Guard is even more angry with him than are his political opponents.

The people of the United States ought to be grateful to Senator BINGHAM. He has given them a perfect picture of the minds which made the tariff bill, the methods by which it was made, and in the intolerable burdens which it would impose upon them, to increase the profits of a single class.

In defense of the good people of the Senator's own State I am glad to advise the Senate that it does not accept his view expressed on the floor this morning that there was nothing improper or open to objection in the course he pursued. I read from the Hartford Courant of Thursday morning, October 24, 1929, as follows:

AS THE COUNTRY VIEWS IT

From Portland, Me., to Portland, Oreg., from Minneapolis to New Orleans, the newspapers across and up and down the country have commented most unpleasantly on the developments at Washington involving Senator BINGHAM and the Connecticut Manufacturers' Association. We need only take at random a line or two from editorials to show how the opinion runs. "The Connecticut Senator has done a foolish and an indefensible thing." (The Daily Oklahoman.) "Senator BINGHAM was guilty of an extremely odious and reprehensible piece of business." (Chattanooga Times.) "He is a frant, admitted, unashamed, and brazen wrecker of the Republican Party pledges." (Minneapolis Tribune.) "But this extraordinary proceeding was not after all so important for its effect upon legislation as the activities of those industrial and financial interests which have always intruded themselves, adroitly and insidiously, into the writing of tariff measures." (Arkansas Gazette.) "Any pretense that he used Eyanson's assistance in applying the Republican policy of protection to Connecticut products can not be maintained." (Portland Oregonian.)

We might continue such quotations almost indefinitely, but to do so would be unnecessarily distressing. Here in Connecticut, where all the participants in this affair are well known, these comments may seem unduly harsh, if not downright brutal, but they are based upon facts and circumstances that naturally provoke precisely such observations and denunciations. Without qualifying phrases or interpretative understandings here is the set-up presented to these commentators on current events:

(1) Senator BINGHAM was the chairman of the tariff subcommittees on the cotton and the wool schedules. Knowing nothing, as he confessed, about these or other tariff matters, he appealed to E. Kent Hubbard, president of the Connecticut Manufacturers' Association, for assistance.

(2) Senator BINGHAM came to Hartford and by appointment met Mr. Hubbard in the office of J. Henry Roraback, chairman of the Republican State committee and a member of the Republican National Committee. It was then and there arranged that Senator BINGHAM should have the services of Charles L. Eyanson, assistant to Mr. Hubbard, in the preparation of such tariff schedules as might have an interest for Connecticut.

(3) During the period of his employment in this capacity Mr. Eyanson received his regular salary and expenses from the manufacturers' association.

(4) Senator BINGHAM temporarily retired one of his secretaries, Harry M. Barry, to make a place for Mr. Eyanson on his staff, and, ostensibly to subject Mr. Eyanson to the "discipline of the Senate," he caused him to be placed on the pay roll of the Government.

(5) Senator BINGHAM took this paid employee of the Connecticut Manufacturers' Association into the executive sessions of the Senate Finance Committee and only departed from that practice when objection was made by some of the members.

(6) President Hubbard, of the manufacturers' association, wrote to Mr. Eyanson, "You have done a great deal more than we ever bargained for in the beginning, and undoubtedly the results which you have accomplished are far-reaching and will bear fruit for some time to come. * * * Now we are in a position where we can handle it [the tariff] here in the office."

Here, on the face of it, was the situation that editorial writers the country over felt an impelling obligation to discuss. Is it in the least surprising that they should have drawn from it conclusions wholly unfavorable to all the principals in this drama, especially in view of the situation having been made to appear even worse as the examination of witnesses by the Senate lobby investigating committee proceeded?

There is no disguising the fact that, on the basis of this set-up, the case has every appearance of evil intent and purpose. To convince outside disinterested opinion that all the arrangements were innocently entered into, that no illegitimate ends were to be served, that nobody

had a wrongful purpose is well nigh an impossibility. The harm has been done; there seems to be no way by which it can be undone. Protestations of blamelessness and purity of motive fall on deaf ears.

Yet the Courant is convinced, as it has said on previous occasions, that neither Senator BINGHAM nor the Connecticut Manufacturers' Association was consciously guilty of anything more than an amazing indiscretion and a lamentable lack of candor. They simply never thought the thing through, as they have since had an abundant opportunity to do. Senator BINGHAM, ignorant as he was of the tariff, merely saw an opportunity to get all his information as to the tariff needs of Connecticut manufacturers and producers from a single authoritative source. It saved him the time and trouble of innumerable interviews. It saved manufacturers and producers time and trouble also. It must have seemed to all concerned a very convenient arrangement.

Aside from the questionable ethics involved, the Senator's process of fixing up the tariff schedules was precisely the way in which all tariff schedules are made. Whether it be the wool, the cotton, the metal, the chemical, or the agricultural schedules, the "ambassadors" from the several States at Washington take the say-so in tariff matters of those who are conducting these enterprises. No Senator, no Representative, pretends to know what the duty on any article should be. He takes the word of interested parties for it. He finds himself in trouble only when the protection demanded by one group is opposed by a conflicting interest, as, for example, the insistence of the worsted manufacturers that the materials of which adulterated but serviceable fabrics are made shall be kept out by prohibitive duties, and the like insistence of the manufacturers of these fabrics that they shall have free access to such materials. It is ridiculous for anybody to assume that tariff making is either scientific or disinterested. As the New York World has pointed out, the whole process is conducted on Senator BINGHAM's plan. The only difference between him and the other Senators is that he had "the bad taste and the foolishness to do directly and rather brazenly what almost all the others do somewhat more discreetly."

But there is no use attempting to gloss over what has been done, no use to make apologetic excuses, no use to plead the innocence of everybody in light of the facts that have been revealed. We may applaud the loyalty of Mr. Hubbard in testifying, "I approve of what Senator BINGHAM has done 100 per cent," but this blanket indorsement will find no echo. The ethics of modern business is wholly against it.

Mr. President, unless it should be thought that this is the expression of an individual newspaper of the State of Connecticut that may possibly be antagonistic to the Senator from that State, I read two further brief editorial comments, one from the Waterbury Republican, as follows:

As the investigation of the Bingham-Eyanson affair progresses, the folly of the Senator's entry into the agreement whereby he took a paid employee of the manufacturers' association into secret sessions of the Senate Finance Committee becomes more apparent than ever. Not only is there an ethical problem involved, but the Senator's action also threatens the welfare of those Connecticut industries which require additional tariff protection.

The whole affair was utterly needless. Mr. BINGHAM seeks to excuse himself by saying that he was ignorant of tariff matters.

The New Britain Daily Herald, of the same State, said:

The use of Mr. Eyanson as Senator BINGHAM's aide was merely poor tactics. No one seems to have foreseen that the method when discovered would go a long way to defeat its own ends. The effect upon the Senate can not be favorable. The good to ensue probably will be that it won't occur again. The legitimate way is to give evidence before a committee and then go home.

From the Hartford (Conn.) Times I read:

Asked by Senator CARAWAY, "Well, do you think there was anything wrong about it?" Senator BINGHAM replied, "Possibly I made a mistake."

It does seem as if an error of judgment may have been committed. Apparently the Senator from Connecticut failed to realize the impropriety of dispensing the public funds for the suiting of his own personal convenience, or what it would look like to disinterested observers if, when he needed information about the tariff, he should hire the knowledge of some one representing special interests in the bill before his committee. The naïvete of Senator BINGHAM in this matter is innocence itself. It is fully equal to that of a considerable number of Republican leaders in Washington as a group, who utilize "Old Joe" Grundy, of Pennsylvania, to collect campaign expenses and assist them with his expert counsel when the subject of tariff revision comes up for action.

I supplement this with two other brief references to general comment on this matter, one from the Columbus (Ohio) Dispatch, as follows:

What does all this mean? Simply that the Connecticut Senator, as a prominent member of the Senate committee in charge of the tariff bill, had turned over to the Connecticut manufacturers themselves, through their State organization, the work of naming the rates to be assessed in

protection of Connecticut industries. The fact was brought out that Eyanson had received \$10,000 from the manufacturers for doing this work. Was Eyanson the Connecticut Senator's assistant or his boss?

From the Topeka Kansas Capital:

Senate inquiry into the hiring of a representative of special tariff interests by Senator BINGHAM, of Connecticut, brings out that the Senator, chosen from the faculty of Yale College, is not as punctilious as such a man should be in a public office. Connecticut has one of the few surviving old-fashioned machine bosses who runs the State, and BINGHAM has been his willing tool ever since his election as governor.

I forbear from reading further comments of this character, Mr. President, but now more than ever it seems to me that the Senate is called upon to express its view concerning these transactions.

Mr. ROBINSON of Indiana. Mr. President, I had not intended to make any comment at all on the situation now before us. Whatever I may say under the circumstances is suggested by what has taken place this morning.

I never sought membership on the investigating committee. No one could have been more surprised than I myself when announcement was made that I was included in the membership. I was not even in the city at the time, having been back to my home State, and learned of it when I returned here.

I had heard the Senator from Connecticut make his speech on the floor of the Senate in answer to one delivered by the senior Senator from Mississippi [Mr. HARRISON]. I was grieved that anything so serious as this seemed then to be could have taken place in this body or in its membership. I have nothing but the kindest feeling for the senior Senator from Connecticut [Mr. BINGHAM]. He and I have never had a word of any kind but that suggested by friendship. Certainly I have no intention, no desire, no thought of causing him embarrassment. I am led to suggest this by the statement made by the Senator from Connecticut himself this morning to the effect that the committee sought to injure or ruin the reputation of an American Senator. When he speaks of "the committee" I assume he refers to the entire personnel of the committee. Included in that personnel, of course, I find myself.

I heard but little of the discussion this morning on the floor of the Senate. That much of the speech of the Senator from Connecticut I did hear. I was called to a meeting of the Committee on the Judiciary, and therefore, unfortunately, was unable to hear most of what took place. But that statement was enough to suggest to me that I ought to say this much, and therefore I am on my feet.

Certainly I never desired to injure or to ruin the reputation of the Senator from Connecticut, or any other Senator on this floor. Rather my heartfelt sympathy goes out to anyone in trouble, man, woman, or child, which being true, I should naturally not attempt to embarrass any individual. And may I say, Mr. President, that in my honest opinion I have spoken the sentiment of the entire committee in the last statement I have made. I think the committee up to this moment has been fair. We have been trying to get both sides of these questions, and so far as I have any influence with the committee that policy will be continued.

The committee was organized and began its work. Then it was announced by the committee through the public press that the Connecticut matter would be gone into shortly, perhaps the next day. As the result of that announcement, I presume, Mr. President, the Senator from Connecticut came to me, and said to me substantially that he desired to be heard by the committee. He said to me substantially this: "I ask this favor, Senator, of the committee of which you are a member: When you take up the Connecticut matter—the Eyanson case—I want to make a statement to the committee before the subject has been gone into at all." I said to him then that he would be given that opportunity; that most assuredly that was his right. He said that he would depend upon me to inform him when the matter would be taken up, so that he could make the statement as aforesaid.

The committee sat next morning, Mr. President, and at the conclusion of its session for that day in an executive meeting, called together in the same room, I suggested that the Senator from Connecticut should be heard before a word of testimony had been taken; that that had been his request to me, and that I felt the committee ought to grant it.

Mr. President, each and every member of the committee was in favor of taking that action. It seems to me, as I recall the incident now, that each member of the committee must have said, "Of course; why, certainly, the Senator should be heard before anyone else is heard on this question; that is his right."

Mr. President, from that presence I came to the Chamber. I sought out the Senator from Connecticut to give him that infor-

mation, since the next morning we were to begin on the Eyanson matter; but I was unable to locate the Senator from Connecticut. I had him paged around the building, and called his office, and some one there suggested that he might be in his committee room. I sought for him there, but could get no response. Finally, I called his secretary and informed him that the next morning the investigating committee would take up the Connecticut matter and that the Senator from Connecticut had requested that I be sure to let him know when the committee would go into it, so he might make his statement. I said to the secretary of the Senator from Connecticut substantially, "Will you be responsible for getting this information to the Senator? It is very important from his standpoint, because he is anxious to make this statement." And I was assured that the information would be given to the Senator from Connecticut.

Mr. President, so much of detail, that ordinarily would be uninteresting and tiresome, in order that the Senate may know that the experience which afterwards was undergone by the Senator from Connecticut was deliberately sought for, aye, insisted upon by himself in his own person.

The next morning the Senator from Connecticut appeared before the committee, and before a word of testimony had been taken he made his statement. The Senator's statement was similar to that made by him on the floor of this Chamber, varied, I think, in no detail. And, Mr. President, after the Senator had concluded his statement, he said substantially to the committee, "Now, gentlemen of the committee, I am willing to answer any questions the committee desires to propound." Otherwise, no questions would have been asked him. Not only did he insist on making the statement, but he insisted practically on being interrogated. It would have been scant courtesy to the Senator, Mr. President, had we not granted his request in that connection.

The Senator was then interrogated as would have been any other witness. At no stage of the proceedings, however, was he put under oath. There was no occasion for it. He is a Member of the American Senate, supported here by the people of a great State, and there is a certain courtesy that exists here, all reports to the contrary notwithstanding. It was felt that his word would be good, and we were glad to take his word. All that has come up since then, Mr. President, has been the result of the Senator's own words, and to that he ought not to take exception.

Mr. President, in the course of the testimony, evidence was given and not denied in any particular, that correspondence was had between the Senator from Connecticut and the association there which was represented by Mr. Eyanson. There was no contradictory evidence whatever. The Senator from Connecticut himself said that Mr. Eyanson signed the pay roll as a clerk of the Committee on Territories and Insular Affairs; that he drew the money as such clerk; that the first installment which was paid to the Senator he subsequently turned over to his secretary, and the second installment was paid directly to the secretary to the Senator from Connecticut. At the same time the evidence is not controverted that Mr. Eyanson was drawing his salary as usual and regularly from the association with which he was connected in Connecticut.

Mr. President, that did mean an irregularity, to use the mildest term. I asked the Senator if he approved, rather expecting him to say "No." I said, "I think surely the Senator does not approve of the falsification of the record." Mr. President, I do not approve it; the Republican Party does not approve it, nor is it approved by the American people.

Mr. President, this leads me logically to my concluding statement. I am a Republican, and proud of the fact; I am a protectionist, a high protectionist, if you please, believing with my whole heart and soul that protection for American labor, industry, and agriculture has made this the greatest country the world has ever seen. I stand for protection; I always have done so and always expect to do so; but I should like to see it advocated and consummated openly and not in devious ways or in crooked paths. Protection is a noble principle of government, and there is no occasion to cloak it with irregularity in any manner, shape, or form, and I am opposed to that sort of proceeding, and for the reasons I have stated.

Mr. President, I have no animus whatever against the Senator from Connecticut. I have nothing but the kindest feeling for him, and in his present trouble the deepest sympathy; but, Mr. President, in view of the evidence and in view of the Senator's own statement, voluntarily made, I am forced to condemn the methods he used, and that condemnation extends to all irregularities of that kind, regardless of where they may originate or whom they may help or hurt.

Mr. NORRIS. Mr. President, on account of a very important meeting of the Judiciary Committee, it was impossible for me to

be present in the Senate this morning when the Senator from Connecticut [Mr. BINGHAM] delivered his address. Word was sent to me as I was in the committee that the Senator from Connecticut was delivering an address in which he was making an attack upon me for some official act that I had performed as chairman of the Judiciary Committee, but I was then unable to leave the committee room, because we were in the midst of very important business; at least, I did not leave and have not heard anything that the Senator from Connecticut has said.

I sent for a typewritten copy of his remarks, but word was sent back that, while his remarks had been typewritten, they had already been delivered to another Member of the Senate, and I was unable to get a copy of them. I take the floor now, Mr. President, so that there may be no misunderstanding, to announce that as soon as I am able to read the speech made by the Senator from Connecticut I will, if he has said the things I have been told he has said, take occasion to reply to them and, I think, offer a resolution in that connection. At the present time, not having read or heard what the Senator has said, I can say nothing further.

EXECUTIVE MESSAGES

Sundry messages in writing were communicated to the Senate from the President of the United States by Mr. Hess, one of his secretaries.

REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. McKELLAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JONES in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Fess	Kean	Schall
Ashurst	Fletcher	Kendrick	Sheppard
Barkley	Frazier	King	Shortridge
Bingham	George	La Follette	Simmons
Black	Gillett	McKellar	Smith
Blaine	Glenn	McNary	Smoot
Bleas	Goff	Moses	Steck
Borah	Goldsborough	Norbeck	Steiwer
Bratton	Gould	Norris	Swanson
Brock	Greene	Nye	Thomas, Idaho
Brookhart	Hale	Oddie	Thomas, Okla.
Broussard	Harrison	Overman	Trammell
Capper	Hastings	Patterson	Tydings
Caraway	Hatfield	Phipps	Vandenberg
Connally	Hawes	Pine	Wagner
Copeland	Hayden	Pittman	Walcott
Couzens	Hebert	Ransdell	Walsh, Mass.
Cutting	Hefflin	Reed	Walsh, Mont.
Deneen	Howell	Robinson, Ark.	Warren
Dill	Johnson	Robinson, Ind.	Waterman
Edge	Jones	Sackett	Wheeler

Mr. JONES. I desire to announce that the senior Senator from Indiana [Mr. WATSON] is necessarily absent.

The PRESIDING OFFICER (Mr. Fess in the chair). Eighty-five Senators having answered to their names, a quorum is present.

Mr. SMOOT. Mr. President, on Saturday it was virtually agreed that we should take up the oils and fats paragraph today. The first amendment passed over is in paragraph 53, line 25, page 23. I understand that the Senator from Idaho [Mr. THOMAS] has offered an amendment covering all of the oils and fats paragraph with the exception of paragraph 53, which is now presented for consideration.

The PRESIDING OFFICER. The first amendment will be stated.

The CHIEF CLERK. In paragraph 53, page 23, line 25, after the word "crude," it is proposed to strike out "10 cents" and insert "6 cents," so as to read:

PAR. 53. Oils, animal and fish: Sod, herring, and menhaden, 5 cents per gallon; whale and seal, 6 cents per gallon; sperm, crude, 6 cents per gallon.

Mr. JOHNSON and Mr. JONES addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mr. JOHNSON. Mr. President, before proceeding to take up this matter, may I make a query here? Will the Senator from Washington indulge me?

Mr. JONES. Certainly.

Mr. JOHNSON. Mr. President, in common with many others upon this side of the Chamber, I am interested in passing, if it can be done, a just tariff bill. I am interested in having that tariff bill do what ought to be done so far as agriculture is concerned, and likewise so far as industry is concerned.

Mr. President, in common with my fellows I have been sitting here from 10 o'clock in the morning until 6 o'clock in the evening, giving what attention I could to this measure, in the hope that it might come speedily to a vote, or that ultimately a tariff bill should be passed. I am in the happy or the unhappy position, as you may choose to look upon it, of being neither a part of the dominant faction upon this side of the Chamber nor a part in reality of the coalition which it is asserted in the press has existed concerning this tariff bill. I am here in the attitude of these gentlemen upon the back row who modestly assert that they are but freshmen in the Senate, but who grace this Chamber, and who indeed represent their constituencies in a fashion of which they may be proud and their constituencies may be proud. I am here, as they are, as another and a separate group, unorganized, perhaps, but a group anxious to do the best that may be done in respect to this bill and in respect to a tariff measure generally.

Mr. President, I read last week the special correspondents who write from the White House door. I have read, in what those special correspondents have said, that the senior Senator from Idaho [Mr. BORAH] and those working with him in regard to this bill were seeking to do what the President of the United States desired done with this bill. I read this morning that the distinguished Senator from Pennsylvania [Mr. REED], who has been one of the chief proponents of this measure, says there will be no tariff bill at all; and I observe, sir, upon this side of the Chamber that with some of those who presumably are in charge of the measure there apparently is no desire to have any bill at all.

I do not understand the situation. I am perplexed, sir, just as I know some of these gentlemen behind me are perplexed. We do not know, in the elegant language of the lamented Mr. Dooley, "where we are at" at the present moment; and I rise, sir, in the hope that there may be some rending of the mist that envelops us in relation to this tariff bill to-day, and that we may know whether we are going to have a tariff bill or whether it has been decreed, as the Senator from Pennsylvania is quoted as saying last Saturday night in Philadelphia, that no tariff bill will be passed at all. We ought to be advised, either by the special correspondents who write from the other end of Pennsylvania Avenue or by others, whether the President's view is as they assert it to be and whether he stands for the bill that is presented by the Finance Committee of the Senate, or whether he is desirous that what the coalition, as it is termed in the press, is endeavoring to do shall be done with this measure.

I ask these things, sir, in the utmost good faith, merely as a humble Member of this body desiring a tariff bill. I have spoken to some of my fellows upon this side of the Chamber who occupy an equally humble position in this body, and all alike we want to know now "where we are at" in relation to this tariff bill. If we are not to have any tariff bill, and it is decreed by our leaders upon this side or leaders outside of this Chamber that no tariff bill is to be passed, let us not meet here at 10 o'clock in the morning and run until 6 at night and go through motions in regard to a bill. Let us meet at 12 o'clock and adjourn at 1, and let our friends who indulge in that beautiful and glorious pastime, recreational in character, that so ministers to their health, go to the golf links every afternoon and there develop themselves physically as they desire so to do. But let us know, sir, at this time; and if we are not to have a tariff bill, let us quit fooling with the measure, quit making a gesture, and let us have the time that all of us require between now and the regular session to attend to the duties of our States and adequately to represent our constituents.

I beg to assure these gentlemen here that I am asking in no captious spirit concerning this matter. I read from these special correspondents who are engaged to-day in presenting a propaganda to this Nation such as this Nation never before has known, and I trust never again will know in the days to come, that the President is in whole-hearted sympathy with what is being done by the senior Senator from Idaho [Mr. BORAH] and the coalition between the so-called insurgents and the Democrats, and that he wants them to succeed in what they are undertaking to do with this bill. I find no fault with that. I find no fault either with what they do or with what he desires. What I want to know is, Where are we with this bill? Is it a bill that is simply to be passed here in some fashion, or is our time to be fooled away until December next? For that reason I make this query at this time in my own behalf and on behalf of many of those who sit upon this side of the Chamber.

Mr. SIMMONS. Mr. President, before the Senator from California takes his seat, I hope he will inquire of the other side of the Chamber whether it is proposed that the Senate shall not be allowed to pass this bill either at this session or at the

next session, or whether it is proposed that whatever bill the Senate may pass shall be throttled and killed in conference.

Mr. JOHNSON. I am very glad to add that query to what I have stated, sir.

I see that the Senator from Utah has risen, and I yield the floor to him, because I think I realize something of his difficult position, and that he may answer one part of the inquiry, while undoubtedly the Senator from Pennsylvania [Mr. REED] can answer another, and some of the other gentlemen here who are reputed to be doing as the President desires with this tariff bill may answer the third part of the query.

Mr. SMOOT. Mr. President, I am very glad that the Senator from California [Mr. JOHNSON] has brought this question up for consideration at this time. I want to assure the Senate that I shall do everything in my power to see that the bill is passed at the very earliest possible date. I think my actions in the past have demonstrated that. It is entirely with the Senate. If the Senate discusses the questions as it has in the past, and if the length of time taken on all the amendments in the past is taken on those to be considered in the future, of course we can not get through with the bill. But it does seem to me that the bill ought to be acted upon at the present extra session of Congress.

I assure not only the Senator from California, but each and every Senator, and the public generally, that if there is any way in the world to secure the passage of the bill at this session of Congress, and at as early a date as possible, I am going to insist upon such action. But Senators know that there is no limitation of debate in the Senate. This morning we have taken two hours and a half upon a subject that is not germane to the pending bill. Other days have been spent on subjects not relative to the measure. I can not stop that. No one can stop it, unless it is the Senate itself.

I have not heard of any individual Senator saying that he is going to prevent the passage of the bill at this session of Congress. Senators upon the other side of the Chamber have told me that they want to have the bill passed. I know Senators on this side of the Chamber have made the same statement. But, Senators, we have not passed finally upon one schedule of the bill. We are still on the first schedule, and, of course, unless there is some change in the future in regard to the time occupied in this body by different Senators, there would be no possibility of getting the bill through at this session. I know, of course, that Senators have a perfect right to speak upon any subject, and to speak at length upon every single item in the bill, if they desire, but it is in the Senate's hands whether we shall have this bill passed or not.

If I can have consent of the Senate to remain in session from 10 until 6 every day, I am going still to have hope that we will pass the bill before the end of this session, and that the bill at least can go to conference.

I want to say to the Senator from North Carolina [Mr. SIMMONS] that I have no idea whatever that the bill will be killed in conference; and the Senator will be a member of the conference. I say to him and to every Senator here that whenever we reach the conference, the bill will be treated exactly the same as every revenue bill with which I have been connected and upon which I have been a conferee has been treated.

I do hope to begin, and I beg of the Senate that we begin now, the actual consideration of the bill, with the intention of passing it at the very earliest day. I know that it can be done if Senators will confine themselves to brief statements on the amendments, and stick to the bill, and talk about the bill, and not bring other matters before the Senate which take hours of speeches nearly every other day.

Mr. REED. Mr. President, it is correct that in the statement I made on Saturday at Philadelphia I expressed it as my opinion that this bill is dead. That is still my opinion. It could be passed, as has been said by the Senator from Utah [Mr. SMOOT], if the Senate would limit itself strictly to debate upon the bill, and if it would impose a reasonable limitation upon debate. But so many changes have been made in the bill already, so many more changes are promised by those Senators who speak for the majority of the Senate which is now in control of the bill, that to me it is perfectly evident that the House of Representatives will not accept the bill the Senate is willing to pass. Perhaps I am wrong, but I am entitled to my opinion, as is any other Senator.

Mr. SIMMONS. Mr. President, will the Senator yield?

Mr. REED. In just a moment, if the Senator will forgive me. I have but a moment, and then I must leave for an important engagement on Government business, and I hope Senators will let me go on uninterrupted for a moment.

I do not know whether I shall be one of the conferees on the bill or not. That rests with the Senate. Ordinarily, in the

routine of appointing conferees, I suppose I would be. If I were, I should stand for the action of the Senate.

The Senate has put the debenture provision into the bill. I conceive it to be the duty of every Senate conferee to stand out for it, and not to yield without the express permission of the Senate itself, and I say that although I voted against the debenture, and do not personally believe in it. I take it that the conferees, whoever they are, including myself if I am one of them, will be bound to stand out on a matter of such importance until the Senate itself authorizes a recess. We can not do all that in a day.

I am not here to speak for the President, because I have never asked him his views as to the fate of the pending bill. Neither am I in the confidence of those who speak for the majority of the Senate, what has been casually called "the coalition." They have made their plans, doubtless, but they have not told them to me, and in the expression of opinion I made Saturday, I based my statement solely upon my observation of the conduct of the majority of the Senate, that coalition, in its handling of the bill up to this time.

The removal of the flexible tariff, which was accomplished by a rather decided majority, the imposition of the debenture, the increase in the rate on casein, showed the attitude toward farm schedules. We put the rate on casein in the Finance Committee up beyond the point to which any of the experts said we were justified in going. The Senate has put it up far higher.

The cutting down of the rates on industrial products like pyroxylin I can not understand, because that is throwing out a market for a very large quantity of cotton; but the Senate has done it, and that shows the attitude as to manufactured products.

I speak not in criticism, although I disagree from the bottom of my heart with what has been done. But it is perfectly obvious to me that the majority of the Senate is in complete, diametric disagreement with the majority of the House of Representatives, and it is my firm conviction that, try as we may, or try as they may, if I am not one of the conferees, no agreement between the House and Senate is possible at the present session of the Congress.

Mr. ROBINSON of Arkansas. Mr. President, with the Senator from Pennsylvania [Mr. REED] it is necessary for me to leave the Chamber on business of the Government, and in all probability no opportunity will be afforded me during the further process of the debate to-day to speak with reference to the subject matter now immediately under consideration.

It must be perfectly clear to anyone that, considering all the circumstances, there never has been, since the issues developed in the Senate on the bill, the slightest prospect of a final disposition of a conference report on the bill during the extraordinary session.

It has always been my belief that, through cooperation in the consideration of the measure and of the issues which are necessarily involved, a conclusion can be reached, in so far as the Senate is concerned, during the extraordinary session. I still believe that that is possible.

In no sense admitting my responsibility or the responsibility of those immediately associated with me in this Chamber, for the life or death of the measure, and distinctly repudiating the effort of some Senators to lay this bastard on our doorstep, I am entirely willing to go on as heretofore and facilitate the procedure in every way possible. But Senators must remember this fact, that the result of the proceedings in the Senate has been to turn the light on the bill, and to reflect what many believe to be the real interests of the public touching tariff revision at this time. There is not the slightest intention to depart from that purpose. It will be carried forward, and you will take your share of the responsibility for whatever happens to this poor infant.

Mr. REED. Mr. President, I do not want to leave the Chamber without one more remark, which I should have made before.

I think that to the Senator from Utah [Mr. SMOOT], who has borne the burden of this bill under circumstances unusually hard, should go the respect and the consideration of all of us. It is not his fault in any way that the Senate has not worked longer and has not worked faster. I think he is entitled to our commendation for the loyal and faithful service he has given in the consideration of the bill. Whether we agree with his position or whether we do not, he has held to his position manfully and well, and deserves our thanks.

Mr. LA FOLLETTE. Mr. President, I want to make a brief reference to the statement made by the Senator from Utah [Mr. SMOOT].

In my opinion, there never has been a major piece of legislation before the Senate on which the discussion has been more

germane to that measure than has been the case with the pending tariff bill. There has been less extraneous discussion during the time the bill has been before the Senate of the United States than in conjunction with any other major piece of legislation in recent years.

It must be remembered that the entire conduct of this bill has been in the hands of the Finance Committee and the Republican leadership of the Senate. They fixed the date for the recess. They fixed the date for the reconvening of Congress. They had it within their power to hold the Senate in session. There would have been no objection to it. A recess was taken at their suggestion.

Mr. President, when you stop to consider the fact that this measure was under consideration by the Republican members of the Finance Committee from the time we took the recess in June until the Senate began consideration of the bill in September, it seems to me that there has been a remarkably short time consumed by the Senate in the consideration of the measure upon the floor.

As it took the Republican membership of the Finance Committee, meeting in executive session, all those weeks to consider their action upon the measure, I submit, Mr. President, that the Senate itself, in considering the measure and in having proceeded as far as it has proceeded, has made unusually rapid progress with a measure as important as this one.

Mr. EDGE. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Jersey?

Mr. LA FOLLETTE. I yield.

Mr. EDGE. I am not interrupting the Senator with any idea of disagreement, but his very statement emphasizes the fact that the 11 members of the committee required most of the summer for hearings and consideration of the bill. Having been one of the members of the committee I can attest that fact. I think we are entitled at least to appreciation that we labored incessantly, whether the results of our work were satisfactory or not. But in it is an undisputable fact that the committee required that long time for public hearings and in the consideration of the testimony and in the writing of the bill. Now, with only five weeks of the extra session remaining and with 14 important schedules of the bill yet to consider containing many controversial items, and joining with the Senator in the hope that the debate will be germane and directed to the various schedules, is it not perfectly obvious that it will be impossible during the special session to complete consideration of the bill?

Mr. LA FOLLETTE. I am going to answer that question in a few moments.

Mr. President, the Senator from Utah made the statement that the fate of the bill is in the hands of the Senate. Of course, broadly speaking, that statement is correct; but if the bill is to be passed by this body before the next regular session it means that the representatives of the people of the United States in the Senate must accept the work which has been done by the Republican members of the Finance Committee in the drawing of the bill.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. Is it not the Senator's opinion that the mess which has been referred to as now existing with reference to the bill and the impossibility of it passing is largely chargeable to the fact that the leadership of both Houses of Congress departed widely from the object for which we were called together in the framing of the legislation?

Mr. LA FOLLETTE. Yes; I agree with that as a general statement, but I am trying now to confine my observations to the situation that confronts us. The bill is here. The Senate must act upon it. The Senator from Utah said the fate of the measure rests in the hands of the Senate. I agree with that statement; but I do not agree, Mr. President, that failure to pass the bill prior to the convening of the next regular session of Congress is a responsibility which rests upon the membership of the United States Senate. If there be any such responsibility it rests upon the Republican leadership of the Senate, who have had entirely within their control the conduct and consideration of this important piece of legislation.

Speaking only for myself, a representative in part of the people of the State of Wisconsin, I want to say here and now that, so far as I am concerned, I shall not hesitate during the conduct of the discussion and the debate upon the various schedules to take whatever time I may believe to be necessary in order to present the facts and argument upon important items and important policies which are involved in the consideration of a tariff measure.

A hasty survey of the time taken by the Senate of the United States in the consideration of other tariff bills brings me to the conclusion that the shortest time in recent years in which the Senate has been able to dispose of a general tariff bill has been four and one-half months. The Senate has had this measure under consideration a little less than eight weeks. We have disposed of the administrative features of the bill, which contain most important questions of policy. We are now upon the first schedule.

Mr. President, I want the Senator from Utah [Mr. Smoot] to realize that what I am about to say is not intended as a reflection upon him. I submit that any impartial person observing the conduct of the bill since we have gotten into the rate schedules will agree that it has been handled in such a way as to prolong the debate. Amendments of the committee have been insisted upon when everyone knew that they would be defeated when the vote was taken.

Every Senator, as the Senator from Utah has stated, has a perfect right, whenever he conceives it to be his duty to do so, to rise on the floor and discuss at any length any item in the schedule before us. But I submit, Mr. President, that if we are going to take three or four hours on items of minor importance, as we did the other day to discuss the duty on agar-agar; if we are going to have every single item in the bill contested to the limit, then of course it becomes apparent to anyone that action upon the measure can not be had within the time remaining between now and the regular session of Congress in December.

Mr. President, I do not believe that the public interest is being sacrificed by a thorough consideration of the bill. On the contrary, I think the public interest is being served by a careful consideration of this important piece of legislation. I think the Senate of the United States as a whole and individual Senators would be derelict in their duty if they did not give the measure the consideration which its importance to the people of the United States merit.

I want to make the statement for the RECORD that in so far as I am personally concerned I shall not let the statement made by the Senator from Utah, that the fate of the measure rests in the hands of the Senate, deter me from taking whatever time I feel to be necessary to set forth the arguments from my point of view on the important questions which are involved in the measure.

Mr. HEFLIN. Mr. President, some weeks ago I suggested to the Senate that we commence to meet at 10 o'clock in the morning instead of 12 o'clock. The suggestion was not acted upon favorably at that time, but recently we commenced to meet at 10 o'clock and have been remaining in session until 6 o'clock. I would favor having night sessions if it is necessary. I think we have reached the time in the consideration of the bill when a schedule is taken up for some one to make an effort to limit debate, should make the suggestion that we limit debate to five minutes and keep on doing that, and in a little while when it develops that we have the votes to adopt these schedules or to defeat them, there will not be so much discussion. I would not limit debate by any hard-and-fast rule of the Senate. I would want it to be done by unanimous consent, and I think most of the Senators—in fact, practically all of them—would consent to that plan. We have done that in one or two instances by fixing the time when we should vote.

When the schedules are reached, although some of them are very small, long drawn-out debate has taken place on some of the items. I believe in thoroughly airing these propositions and getting at the truth so far as possible to do so, but I think we have wasted some time in the discussion of some of these questions.

I am ready to join in an effort to go along as rapidly as possible and get through with the bill. I said a few weeks ago, when we had this makeshift proposal to confine the tariff bill to the agricultural schedule, that it was a ridiculous thing. The idea of Senators thinking that the "standpatters" would let them bring in a nice little bill served up for the farmers alone and get it through the Senate was, in my opinion, impossible. I knew at the time it was out of the question and ridiculous, because I knew that when the bill got to conference between the two Houses the conferees could rewrite the bill, make it a general tariff bill, and Senators admitted that that was true. Then we would have wasted all of that time. I take the position, then, that if we are going to get anything for the farmer we are going to have to put it into a general tariff bill. I said that then and I say it now. Senators know that we are not going to be able to pass a tariff bill through the Senate which is purely and wholly for the benefit of agriculture. There are too many industrial interests represented here whose representatives would not stand for such a thing. We must have a general tariff bill, and we must put into that general tariff bill, if we

expect to get anything for the farmer at all, just the provisions that we want in it for agriculture.

I said here when the Borah resolution was defeated that we could go on with the consideration of a general tariff bill, and that if the schedules were too high we could cut them down, and where we found them too low we could lift them up. We are doing that. We are doing that now with the schedules in the bill. Where we have thought items were too high, as we have seen, we have cut them down, and in some instances where it was thought they were too low they have been elevated a little. But I do think we should go right along through with the bill and get it to conference. I suggest that that ought to be done by the 20th of November, because I do hope sincerely that the Senate will adjourn for 10 or 15 days before the regular session, before we start into the long drive which will probably run into the summer of next year.

Mr. HARRISON. Mr. President, I want also to voice sympathy with the Senator from Utah [Mr. Smoot]. It seems that he is about the only one on the Republican side of the Chamber who is really earnestly trying to put this bill through. No wonder it is in a "mess," as certain Senators have designated it. The Senator from Utah is trying to put over some rates here which he himself opposes. I know that the Senator from Utah dislikes to acknowledge the bill as his handiwork. If he could have written the rates here, many of them would have been much different from what they are. But he has been up against a hard proposition. He has had enough to contend with to worry almost to death any man in public life. He has had no one over on his side of the Chamber giving him any kind of support, but, on the other hand, they have been nagging him, criticizing him, finding fault with him, not voting with him; but he, like the boy who stood on the burning deck, whence all but him had fled, stays here and apparently shows some interest in the work.

The trouble with the situation is that the administration keeps quiet and says nothing, takes no one into its confidence. We might as well lay the cards on the table, so to speak. If President Hoover would take the Senator from Utah [Mr. Smoot] into his confidence, if he would take the Senator from Pennsylvania [Mr. Reed] into his confidence, if he would take the Senator from Idaho [Mr. Borah] into his confidence, or if he would take the Senator from California [Mr. Johnson] into his confidence [laughter].

Mr. JOHNSON. Mr. President, I excuse the laughter of my friend from Mississippi and of anyone else under the circumstances.

Mr. HARRISON. I was not laughing. I know we could get along a lot better if the President would take the Senator from California into his confidence.

Mr. JOHNSON. Oh, I agree with that! [Laughter.]

Mr. HARRISON. Yes; I knew the Senator would agree with that. But that is the whole situation here. Every man who has been President of the United States and made a great reputation has taken the people into his confidence, has adopted certain policies, and has had the courage to go through with and fight for those policies. We were called into extraordinary session to deal with the tariff question, and the President said the revision ought to be limited. Yet one side, which is for the highest kind of tariff rates, say the President agrees with them, while the other faction say that they are for a limited revision and that the President is with them, leaving the country in doubt as to what position the President really occupies.

How easy it would be for a man occupying the high position of President, the leader of his party, seeing it being split into contending factions, to get the leaders together and say, "Here is what I stand for: I will not stand for the high industrial rates written under the leadership of a man who is representing special interests; I am not for the rates which have been put into the earthenware schedule; I am not for the high rates which it is proposed to put into the metal schedule, and the high rates designed to take care of the products of Connecticut; I am against the system which has been adopted, the trading and bartering plan, making it necessary for the Senator from Utah to rise every day and defend such nefarious action, and making it necessary for the Senate to consume two or three hours every day discussing or defending some position that Senators have taken." If the President would pluck up courage at this psychological time and let one group or the other in the Republican Party know how he stands, perhaps the favored group could gain some recruits, and if he wants the bill killed in conference he might take Senators into his confidence about that, and then we could either proceed with the consideration of the bill or take other action.

The Senator from Utah and others of us have been here working on the bill for over six months. I have not been to my State in that time. I have been trying to study the bill and

to watch the meanderings of those on the other side. I should like to get some vacation, but I want to see the bill disposed of.

The Senator from Utah knows that he has not been obstructed by any of the minority members of the Finance Committee; indeed, we have cooperated with him. We have wanted to expedite the consideration of the bill. However, we want the measure fully discussed, in order to expose the inexcusable rates which in so many instances it seeks to impose.

The majority members of the committee have delayed the consideration of the measure. They have brought about all this discussion. On last Friday, as was pointed out by the Senator from Wisconsin, the Senator from California [Mr. SHORTRIDGE], a member of the committee spoke for—well, it seemed to me two days, but I suppose it was only two hours, on agar-agar, a commodity which is produced by only one concern in California, attempting to increase the prices of medicine to the American people. It was such a monstrous proposition that, although he had been able to get his colleagues on the committee to put it into the bill, to put the stamp of approval of the Finance Committee on it, it did not receive any support in the Senate. The day must have been so hot last July that the majority members of the Finance Committee did not want to hear the Senator from California speak any longer, so they put the amendment in the bill. That is about the only reason or excuse for putting it in the bill.

So this morning a majority member of the Finance Committee [Mr. BINGHAM] saw fit to talk for an hour or more—it seemed much longer also in his case—in defense of some proposition connected with the writing of the pending bill.

So the Senator from Utah has been delayed and obstructed by members of his own committee. I should like to see a unanimous-consent agreement as to every amendment that is offered limiting debate and allowing a reasonable time for debate, but insuring some headway being made.

Mr. FESS. Mr. President, will the Senator yield?

Mr. HARRISON. After I have said a word further, I will yield. On last Friday, when the question of the tariff rate on agar-agar came up, I suggested on the floor to the Senator from Utah that we immediately limit speeches to 5, 10, or 15 minutes, but I could not get any response to the suggestion. We would have saved two or three hours' time if that had been done. So I say, Mr. President, there must be some cooperation among those of us who want to speed along the consideration of this bill.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. I yield.

Mr. SMOOT. I appreciate what the Senator has said as to securing unanimous-consent agreements proposing to limit debate. I have tried to secure such agreements a good many times, and failed every time. Had I made an attempt to secure such an agreement on Friday last, at the time the Senator suggested it, before the Senator from California had said a word, I could not have obtained such an agreement. I may remind the Senator of the fact, which he knows, that there was not a word said by any other Senator in regard to agar-agar after the Senator from California had concluded on Friday.

Mr. HARRISON. Perhaps that is why it was defeated so badly.

Mr. FESS. Mr. President—

Mr. HARRISON. I yield to the Senator from Ohio.

Mr. FESS. Mr. President, we have talked of plans for limiting debate, but I do not see any physical possibility of reaching a vote. There are about 750 committee amendments to be considered, and then there are any number of individual amendments to be offered after the committee amendments shall have been considered; and we have only 30 days of the extra session remaining. How is it possible, if we take the same length of time that we took on last Friday on one amendment, to get through with the bill? It will take just about one year and four months to get through with it.

Mr. HARRISON. It does not look very bright, may I say to the Senator, but we have got to work together and try to expedite the bill? If the majority members of the Finance Committee will stop obstructing the Senator from Utah, I think some progress will be made.

Mr. FESS. If the Senator will permit me, there are some of us who have the itch for speaking on subjects of this kind who, in the interest of expedition, have not said a word. The Senator knows that.

Mr. HARRISON. The Senator has not the itch; he has the St. Vitus dance when it comes to speaking. [Laughter.]

On last Saturday night—and reference has been made to this incident in the Senate to-day—the worries of the Senator from Utah were added to by the distinguished Senator from Penn-

sylvania [Mr. REED] going up to Philadelphia and taking some of his friends into his confidence and telling them the tariff bill is dead. Of course, I was very glad to see the Senator from Utah immediately answer the Senator from Pennsylvania and say the Senator from Pennsylvania was not speaking for the Finance Committee.

So, Mr. President, if the President of the United States, the leader of a great party, the head of this administration, will just take us into his confidence and tell us what his plan of procedure is, we might be able to get along a little better. I do not know whether I would be with him or against him; I presume I would be against him; but, at any rate, we would get along faster than we are doing now.

Mr. FESS. Mr. President, regardless of what may be the explanation suggested by this or that Senator, I do not think there is any difficulty in understanding the situation under which we are working.

We are in rather an unusual situation in the Senate Chamber in the discussion of the pending tariff bill. When the McKinley bill was being considered in 1890 a desperate effort was made to amend it by the minority, but after the committee submitted its report on the bill it went through without a dent in the form of an amendment from the minority, because the committee in charge had a sufficient majority back of it to put through the report as it came in, except as the committee itself offered amendments.

The same condition prevailed in 1894 under President Cleveland when the Wilson bill was being considered. The Democrats were in power; they had a working majority; they had absolute control of their bill; and every effort on the part of Republicans to amend it failed, because the Democrats were backed up by a working majority.

That was true of the Dingley bill in 1897, when there was a Republican majority. Every person conversant with that legislation will recall that the Republican majority was sufficiently solidified that, notwithstanding what appeared to be strong and convincing reasons for some changes, the changes could not be made, simply because of the strength of the organization.

Mr. KING. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Utah?

Mr. FESS. If the Senator will allow me to make my statement, then I will yield.

In 1909 we had about the same condition, although the majority was then not quite so strongly organized. In 1913, when the Simmons-Underwood bill was under consideration, I was a Member of the House of Representatives, as was my distinguished friend from Mississippi and several others who are at present Members of the Senate. They will recall what terrific assaults the Republicans made upon that bill, and yet the Democratic majority was so solidified that only as to one item, as the Senator from Mississippi will recall, did a break come in the ranks of the majority. That break was on the wool schedule, when a distinguished Democratic Member from Ohio broke away from the caucus and voted against his party. As the Senator will recall, considerable confusion arose when that break occurred, but the bill as reported went through the House with a solidified majority back of it, and there was no possibility of making a dent in it.

The majority as organized in 1922 when the Fordney-McCumber bill was being considered were not quite so effective, but the same rule largely prevailed in the enactment of that bill, which is now the present law.

As to the pending bill, a similar situation prevailed in the House. The bill came over to the Senate. There are here 55 Senators who are labeled Republicans, 39 who are labeled Democrats, and 1 Farm-Labor Senator, making 95 in all, but there is no solidification of the majority as to any item. What is the use of our blinking at the facts? That is the whole situation, and I do not hesitate to say that, from the standpoint of the administration, it is a pitiable situation.

The Republican majority in the House brought in a bill which was so strongly supported that no break in the bill by way of amendment was made except as the committee itself recommended it. The bill comes over here, and, instead of our being enabled to prevent any amendment, on the contrary, any amendment that is offered can be put through under the situation which we have in the Senate. What is the use of spending our time trying to explain what has happened? That is the whole story, and we might as well admit it.

Mr. DILL. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Washington?

Mr. FESS. I yield.

Mr. DILL. The Senator has reviewed the history of previous tariff bills down to this time. Does he not think that he should

add that in the other instances to which he referred the President indicated to his party majority what he wanted in the form of a tariff bill and did not leave his position unknown or to be guessed at?

Mr. FESS. There is a dispute as to that. I have talked with quite a number of individuals who have held that the President in the case of the McKinley bill took an outstanding position about it, and also in the case of the Dingley bill. I do not recall that; but I frankly say to the Senate that it seems to me, and it has always been my position, that legislation should be left to the legislative body and that the Congress should not take orders from the President.

Mr. KING and Mr. JOHNSON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Ohio yield; and if so, to whom?

Mr. FESS. I yield first to the Senator from Utah, who rose a while ago.

Mr. KING. Mr. President, in my own time I will make one or two observations, but if the Senator will permit me at this time, I want to express my hearty approval of the last statement which he made. I do not approve of the suggestion that the President of the United States, who is the Executive, shall exercise legislative authority and try to whip the Senate when it comes to a consideration of legislative matters.

Mr. FESS. That is precisely my view, and, as a Member of the Senate, I would be inclined to resent any interference of that kind.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from California?

Mr. FESS. I yield.

Mr. JOHNSON. I can thoroughly and wholeheartedly agree with what has been said by the Senator from Ohio in that respect, and what has been reechoed by the Senator from Utah; but when the Executive insists upon a certain provision of a tariff bill, and when that Executive's representatives in States from which Senators come use the political lash to drive Senators into a position favorable to that particular matter—when an Executive once has done that, it is up to the Executive to say whether he wants the bill or whether he does not want the bill, or whether he wants one kind or another kind. He can not do both—interfere in respect to some provisions of the bill, use the party lash all over this Union in regard to them, and then, when the responsibility comes to assume what the burden may be in relation to rates, remain mute and silent.

Mr. HARRISON. Mr. President, will the Senator yield for a moment?

Mr. FESS. Mr. President, just a moment. If the suggestions of the Senator from California are borne out, I would agree with him; but I have no intimation that any President is using, or at any time has used, the appointive power to bring about any particular result.

Mr. JOHNSON. O Mr. President, I did not say that!

Mr. FESS. Then I misunderstood the Senator.

Mr. JOHNSON. I said that the representatives of the Executive in States from which Senators come use the party lash to whip into line Senators for a specific and a particular purpose. That was what I said.

Mr. FESS. I beg the Senator's pardon. I did not understand his statement.

Mr. BORAH and Mr. HARRISON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Ohio yield; and to whom?

Mr. FESS. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, if there is any unnecessary delay in regard to this situation it is because the Republican leaders refuse to follow the President's special message to Congress. That is where the difficulty comes. That is the reason why you have not any solidity.

Mr. FESS. I do not agree with the Senator there at all.

Mr. BORAH. When such men as Mr. Grundy come down here and say they are going to have and insist upon a general revision, that is where the trouble comes. The President indicated very clearly that the special session should be dedicated particularly to farm relief and certain specific tariff schedules which were very easily selected. Instead of following that rule, the Republican leaders here, the majority of the committee, ran counter to the President's instructions.

Mr. FESS. I do not think the Senator from Idaho is justified in making the statement that the President at any time, publicly, at least so far as I have read his statements, has limited himself to agriculture, or to agriculture and the things that are identified with it.

Mr. BORAH. No; I did not say so; but he did indicate a limited revision—

Mr. FESS. Yes; he did.

Mr. BORAH. Specifying particular schedules.

Mr. FESS. I think not specifying particular schedules. He did not do that.

Mr. BORAH. No; not by name; but specifying the rule under which particular schedules would come.

Mr. FESS. I agree with the Senator that the President wanted a limited revision.

Mr. BORAH. Now let me ask the Senator another question: Does anybody contend that the Finance Committee followed any such rule?

Mr. FESS. The bill coming from the House was rather general. I admit that it went beyond a limited revision. The Finance Committee took the House bill as the basis for its action, and has amended it in nearly a thousand items.

I do not know how the Senate committee could have done other than that, because that was the bill that was before it. The bill has to originate over in the House; and I think the Senate committee is not subject to the criticism of the Senator. I do not want to be unfair; but I think the Senator from Idaho has held all along that this special session was not to do anything except deal with agriculture. Certainly the Senator is wrong in that.

Mr. BORAH. No; I am not wrong. When the special session originated in the first instance, the first conception of the special session was that it was to deal with farm relief alone. Owing to the existence of certain interests which felt that they had a special situation, the President enlarged the scope of the session in his special message to cover certain schedules which would be covered by certain rules; but originally no such thing was contemplated. But even the enlarged rule was disregarded by the committee.

Mr. FESS. Let me ask the Senator a question: When the Senator speaks about the original plan, was that after the Kansas City convention?

Mr. BORAH. Why, certainly it was after the Kansas City convention.

Mr. FESS. The Kansas City convention was specific in its platform as to what we were to do.

Mr. BORAH. But not at the special session.

Mr. FESS. Well, at the next Congress; and this is the next Congress.

Mr. BORAH. The Senator knows perfectly well that at the time that platform was adopted those who were really controlling the situation were as much opposed to a special session as they could well be. They had no such thing in contemplation, and the special session came out of the agricultural situation. Had it not been for the agricultural situation it never would have been promised, and it never would have been called. Now, the difficulty arises out of the fact that it has been warped from its original purpose.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from California?

Mr. JOHNSON. Just one moment, and then I will not interrupt again.

Mr. FESS. I yield.

Mr. JOHNSON. May I not call to the Senator's attention and to the Senate's attention the dreadful difficulty, perplexity, and complexity of an individual like myself, just illustrated now? On the one hand is the distinguished Senator from Idaho [Mr. BORAH]; on the other the distinguished Senator from Ohio [Mr. FESS], each diametrically opposed in view as to what the President of the United States intended. Might it not be cleared very quickly, and might not the atmosphere be rendered much more wholesome for some of us on this side of the Chamber if the one individual who can speak and say which is right—the Senator from Idaho or the Senator from Ohio—would speak? But it illustrates exactly what I was endeavoring to say when I opened the debate to-day upon this subject.

Mr. BORAH and Mr. SWANSON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Ohio yield; and if so, to whom?

Mr. FESS. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, in view of the fact that the President has spoken, I do not think any harm would come from his speaking again; but, nevertheless, the truth is that we on this side of the Chamber particularly are being assailed for breaking up and disorganizing this special session. The people who broke up this special session, who disorganized it, and who may bring it to futility were the people who refused to follow the purposes for which the special session was called.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from California?

Mr. FESS. I do.

Mr. JOHNSON. But that is just exactly what the Senator from Ohio denies, and that is where my difficulty and my perplexity arise.

Mr. BORAH. I suggest to the Senator from California that instead of relying upon the Senator from Ohio or myself, he use his own splendid intellect and arrive at a conclusion, and I think he will arrive at the conclusion which I have reached.

Mr. JOHNSON. If the Senator will pardon me one sentence more, I have been doing just what the Senator from Idaho suggests, and my votes have been exactly of that character.

Mr. FESS. Mr. President, rather than relying upon what any particular Senator says, let the Senate rely upon the pledge that was made at the time we went to the country and asked the country to confirm our position.

Mr. SWANSON. Mr. President—

Mr. FESS. I am not going to yield just at this moment.

The VICE PRESIDENT. The Senator declines to yield.

Mr. FESS. I want the Senator from Idaho to note specifically this language. He has read it often, and it has been read here often; and at the risk of taking a little time I am going to read it again.

The first important item in the platform was the statement on the national administration.

The second was our statement on public economy.

Then came finance and taxation.

Then came the public debt and tax reduction.

Then came the tariff, long before the question of farm legislation was reached in the platform; and in the tariff plank we made this statement:

However, we realize that there are certain industries which can not now successfully compete with foreign producers because of lower foreign wages and a lower cost of living abroad, and we pledge the next Republican Congress—

That is this Congress. We shall have three sessions in this Congress. The party plank refers to the "next Republican Congress." The Senator from Idaho and every other Senator knows that if we are going to do it, we shall have to do it in the session in which the tariff is dealt with. We can not deal with tariff on agriculture in the special session and then take up the general tariff in the succeeding session.

Mr. BORAH. We have done it. We put through the emergency agricultural tariff bill in 1921, and we put it through without any of this delay.

Mr. FESS. There were only 16 articles in the tariff legislation in 1921.

Mr. BORAH. It would not make any difference if there had been 60.

Mr. FESS. Oh, yes, it would!

Mr. BORAH. It was distinctly understood that they were to put through an emergency agricultural tariff bill.

Mr. FESS. Mr. President, in 1921 the Republican Congress and a Republican President in power undertook to carry out a pledge they made when the Democrats were turned out of power in the election of 1920; and that pledge was largely on the tariff. Agriculture was the first to feel the hurt and the last to get relief, and the effort was to go into general tariff legislation; but a demand was made on the part of agriculture that we single out 16 items that were specially suffering and put them into the emergency bill. That bill was worked out between the parties, getting the votes of Democrats as well as Republicans, and we put through the emergency tariff covering only 16 items of agriculture, with the pledge when we did it that as soon as we could we would take up the question of general tariff revision. That was an emergency following the war, and it can not be used as a precedent for this—in other words, that because we did that at that time, this time we were to call a special session to deal with agriculture, and then, later on, to go on with general tariff legislation. That does not follow at all.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Utah?

Mr. FESS. I yield.

Mr. KING. May I say to my friend from Ohio that I interpreted the message of the President in the same manner as the distinguished Senator from Idaho. If the Senator from Ohio is right, and this is to be the tariff measure contemplated by the platform, I say here and now to the Senator, because some of us have taken the same view and regarded this as a special session, that we will offer amendments that will be a tariff revision, and you will be here all summer and all winter. If the Senator insists that we are now following out the platform of the Republican Party we will have a tariff revision, and we will start in at A and we will go through the alphabet, and we

will challenge every schedule, and we will offer thousands of amendments to this bill. We have refrained from doing it out of respect to the President and because we believed that it was to be a limited revision.

Mr. FESS. Mr. President, that is a strange statement, that we have refrained from doing that, and that this is not a measure which is subject to amendment. The Senator from Utah is honestly and sincerely a free trader. I listened to his argument the other day. There is not any doubt about his theory not being supported by the majority over there. I respect him for it. Everybody has a right to his theory, and the Senator makes rather a strong argument; but I do not think it is carried out in fact when he says that if we produce an article in America at five times the cost of an article made in Germany, it is because the American does five times the work that the German does. The Senator certainly knows that that can not be carried out, and yet that is the free-trade argument.

Mr. WHEELER. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Montana?

Mr. FESS. No; I am not going to yield now.

The VICE PRESIDENT. The Senator declines to yield.

Mr. FESS. That is a free-trade argument, and the Senator from Utah and myself are just as wide apart on that as are the poles. He can not in any way menace me or frighten me by the suggestion that he is going to offer a thousand amendments. If he does, they will all be for reductions. None of them will be for an increase.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. FESS. No; I am not going to yield now.

The VICE PRESIDENT. The Senator declines to yield.

Mr. FESS. I started to read this plank of the platform, which is our pledge for this Congress, and then following that pledge we find several pages in the platform covering the agricultural schedule. I want to read to show that when this platform was made, the tariff idea was not confused with agriculture, the two were separate. First was the general tariff policy; second, the specific reference to agriculture. The platform provided:

We promise every assistance in the reorganization of the marketing system on sounder and more economical lines and, where diversification is needed, Government financial assistance during the period of transmission.

That is the first pledge. Second:

The Republican Party pledges itself to the enactment of legislation creating a Federal Farm Board clothed with the necessary powers to promote the establishment of a farm marketing system.

And so forth. That is the second. Third, and I want my friends to note this:

We favor adequate tariff protection to such of our agricultural products as are affected by foreign competition.

That is a separate pronouncement on tariff as a general statement and a pledge that the next Congress would revise the tariff in the interest of the items suffering because of a sick industry.

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from New York?

Mr. FESS. No; I do not want to yield.

The VICE PRESIDENT. The Senator declines to yield.

Mr. NORBECK rose.

Mr. FESS. I regret that I can not yield.

The VICE PRESIDENT. The Senator declines to yield.

Mr. FESS. When we take up the tariff question, it is impossible, it seems to me, to limit revision to one schedule, and when we enter upon more than one schedule it is impossible to limit revision to any particular item of that particular schedule.

It seems to me an impossibility to enter upon tariff legislation without considering each item that appears to be a sick item, or one that is in distress.

Mr. BORAH. They are all sick.

Mr. FESS. I like the idea suggested by the Senator from California [Mr. JOHNSON]. I will vote for any proposal to assure adequate protection to any agricultural item. It must first be justified in my mind, but I will support it if it seems to be justified. I will say to my friend the Senator from Idaho that I would just as quickly vote for the protection of any item in industry if it could be shown that the industry affected were suffering. I would not withhold it with the statement, "We will consider only one schedule," that we would limit revision to agriculture. The business of the Senate, it seems to me, not only in the light of pledges but also in the light of what ought to be done, is to treat each product of agriculture and industry separately, and if an article does not need protection we should not

give it, and if the facts demonstrate that fact I certainly will vote against giving protection, even as to agriculture. I have to be convinced that it is of value. But I am not going to vote against a duty because it happens to apply to other than an agricultural commodity. It seems to me that is sound, I will say to the Senator from Idaho.

Mr. BORAH. Yes, Mr. President; it seems sound to the Senator, but when we take into consideration the fact that industry is now enjoying 97 per cent of the domestic market of the United States, how much time does the Senator think the Senate ought to spend here trying to create an embargo?

Mr. FESS. Mr. President, we are not trying to make an embargo. That is a question of degree, as to how much tariff there should be. If the Senator says that he objects to a rate because it would result in an embargo, then let us make the rate lower; but let us do something if an industry needs our protection.

This is the only time I have taken any time on the tariff, except on the question of the flexible provision. I took a little time on that. Although a student of the subject, the tariff, I have desisted from taking any time on it in the hope of getting through with the bill, but last Friday I came to the conclusion that our hope for getting through is fading, for we then had 776 amendments still before us. We took five hours on the amendment then before us. At that rate, we would go a year and five months before completing the consideration of the bill. The 776 amendments are not all. There are a lot of amendments to be offered after we get through those. I do not see much daylight, I confess. If we are willing to limit debate on these items, we will get through, but without that I do not see much promise.

Mr. KING. Mr. President, as I am desirous of hastening consideration of the various schedules, I hesitate to address the Senate, and particularly in view of the fact that my friend has just stated that he is a student of the tariff question.

I have not advanced as far along the highway toward free trade as my distinguished friend from Ohio. It was only a few days ago that the Senator said he believed in a tariff policy that would ultimately lead to free trade. I took occasion then to challenge his attention to a statement made by President Garfield that he believed in a protective policy that would lead to free trade. I have never advocated a free-trade policy or indicated that I favored a policy that would eventuate in free trade. No utterance of mine justifies the Senator's statement as to my attitude toward or belief in the theory of free trade.

The Senator knows that no one upon this side of the Chamber or upon the other side of the Chamber is a free trader. If the Senator had followed the tariff debates in 1922, when I had the honor to have charge for a number of weeks of some of the important schedules, he would recall that I stated that the amendments which I would offer for myself or on behalf of this side of the Chamber would be, in the main, no lower than the Payne-Aldrich law, and that many would carry the same rates as were provided in that act. Upon a number of occasions I stated that there was no free-trade party in the United States, and, further, that I was in favor of a competitive tariff, one that would afford reasonable protection but would not promote monopolies or permit tariff beneficiaries to exploit the American people. I do know that a number of amendments which I offered carried rates higher than those found in the Payne-Aldrich law. It is possible that a very few amendments were presented where rates fell below those in the law just mentioned. The fact is that most of the amendments suggested received the support of some Republicans, and I know that there was a feeling among some Senators, as well as in various parts of the country, that the rates offered by the minority members in many instances did not meet the situation because they were entirely too high.

It is known that when Senator McCumber presented the 1922 law to the Senate, he stated, in effect, that it carried high rates and clearly indicated that because of conditions following the war, and the chaotic economic and industrial condition in Europe, any tariff bill would not and could not deal justly with the people.

The Senator knows that the Payne-Aldrich bill was denounced by a majority of the Republicans and condemned by the Republican press. Theodore Roosevelt was one of its strongest opponents and his opposition gave him prestige and influence as was shown in the election in 1912 when the regular Republicans received an insignificant vote, carrying only two States, and Mr. Roosevelt and the Progressive Party carried a number of States and polled a very large vote. Certainly no one could be called a free trader who voted for many of the provisions in the Payne-Aldrich bill. It carried the highest tariff duties of any bill ever passed in the United States prior to that time. Mr. President, no one in this Chamber is supporting a free-trade measure or advocating a free-trade policy. Stand-pat Republicans quite

recently charged the Democrats with being protectionists and accepting the protective policy as defined by the Republicans.

Mr. President, I have stated a number of times in tariff debates that I regarded the Walker tariff bill, which carried protective rates, as one of the fairest and soundest tariff measures ever enacted by Congress. I have also stated that the difference of cost of production at home and abroad should be considered in fixing tariff rates. No one in this debate has offered an amendment indicating free trade or looking to free trade, or made a suggestion that could be construed as an advocacy of a free-trade policy. The difficulty with some protectionists is that they are not satisfied with protection—with legitimate competition; they want tariff walls so high as to prevent imports or any form of competition.

Mr. President, the Senator from Ohio seems to be guided by the view that a tariff law must carry prohibitive rates. In my opinion, the Senator's position upon the tariff is unsound and is not for the best interests of the American people, nor do I believe that the Senator has properly interpreted the Republican platform when he ascribed to it the solemn declaration that this special session of Congress was called to enact a general tariff law. I have understood that this extraordinary session of Congress was convened primarily, indeed solely, to deal with agriculture. Any consideration of the tariff question was only in connection with and as ancillary to farm relief. I have understood that it was the purpose of the President to aid in bringing about a parity or, at least, some sort of equilibrium between agriculture and the manufacturing interests of the United States. It was obvious that to increase tariff duties upon manufactured products would only widen the gulf between agriculture and industry. In my opinion, the country interpreted the President's message in calling the special session to mean that agricultural relief was to be granted—not that general tariff legislation was to be considered. I do not think that anyone believed that the special session was to revise the tariff or to deal with it in a general and comprehensive way. If the Senator's interpretation of the Republican platform is correct, and we are here for the purpose of enacting a general and comprehensive tariff law, then I say to the Senator, Congress will be in session for many months—far into the coming summer.

If we are to take up the Fordney-McCumber law and revise it and eliminate its unjust and oppressive features and deal justly with agriculture and with the consuming public, we will have a task before us of far greater magnitude than even the Senator contemplates and one which, as I have indicated, will require many months of earnest and arduous labor. If we are here to revise the tariff—to take up each schedule and consider the various items and commodities therein to be found, no one can foretell when our labors will end, but I feel sure that if that is the program called for by the Republican platform, and that platform is to be carried out, there will be a revision downward and the prohibitive rates placed in the McCumber Act upon thousands of commodities will be changed and modified to the end that the interest of agriculture and the consuming public shall not be secondary and the demands and interests of the manufacturing organizations and trusts of the United States shall be regarded as paramount.

Mr. President, I do not choose to follow the Senator in the interpretation placed upon his platform. I think the view expressed by the Senator from Idaho is the correct one. Entertaining that view, I have refrained from offering important amendments to various schedules, and I think that other Democrats, as well as Republicans, of the progressive type have taken the same position. But I repeat when I say that if the Senator's contention is right and his view should prevail, there will be many amendments offered to the pending measure and many schedules will be considered not touched by the House or dealt with by the Republican members of the Senate Finance Committee.

Mr. SIMMONS. Mr. President, it seems to me it is useless to discuss the question of whether we ought to have undertaken a limited or a general revision of the tariff. The fact is that we are engaged in a general revision. Everybody who desired to be heard in behalf of an increase or decrease before the House Committee on Ways and Means was heard, and his request was acted upon. Everybody interested in a tariff in one way or another who desired an increase or decrease was given an opportunity to appear before the Finance Committee, and did appear, and his request was acted upon, either favorably or unfavorably. The majority of the Senate committee has reported to the Senate a bill, therefore, which is a general revision, because it deals with every complaint and every request made by those interested in tariff revision.

The bill which they have presented they were three months in revising—not in writing, but in revising. The bill which

they reported to the Senate, the action of the Senate very soon disclosed did not have the support of a majority of this body.

Up to this time it has been conclusively demonstrated that the general revision reported by the Finance Committee has not the support of a majority in the Senate. The trouble with this matter grows out of that one fact, that we are considering a bill which the majority of the Senate does not approve. We are doing now what the committee did. They revised the bill, and we are engaged in the work of rewriting the bill, rewriting it to meet the views of a majority of this body.

They were three months in revising the bill. The House wrote it. We commenced discussion of the bill early in September, so that this bill has actually been before this body less than six weeks.

Never has a bill of this character appeared in the Senate where the discussions on both sides of the Chamber were more closely confined to the subject matter under consideration than in the present case. If any time has been lost, it has been just like four hours were lost to-day in talking about matters that do not relate directly to the schedules or the paragraphs before us. We have taken six weeks in the discussion of the bill. I do not know how much longer it is going to take us. The process of rewriting a bill containing 2,000 items is a very serious one. If it took three months in committee to revise it, I do not know how long it is going to take here to rewrite it. It takes longer to rewrite a bill in open session of the Senate than it takes to write a bill in the closed sessions of the committee. But in the process of rewriting the bill we have up to this time abstained from extraneous and irrelevant discussion. We have confined ourselves to the items under consideration.

The minority feel under a heavy responsibility to the country with reference to the rewriting of the bill, and the country recognizes that responsibility. The country sympathizes with our efforts to rewrite the bill. We are not without backing in the country in what we are doing, both from the Republican and the Democratic press. The country realizes, as every Senator must realize, that in dealing with the items in the rewriting of the bill it is necessary for us to discuss them, not as fully as we would like but as fully as we feel that the time will permit. We have not spent much time in discussing any of the questions raised except those related to vital and fundamental features in the bill. We have wasted no time.

Senators talk about killing the bill. I do not feel that we want them to kill the bill. I think we want to rewrite the bill so as to carry out the purpose which the President had in mind of confining it largely to agriculture, but not altogether to agriculture. We want to deal with such industries as it is clearly shown may be in need of relief.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Massachusetts?

Mr. SIMMONS. I yield.

Mr. WALSH of Massachusetts. I understood the Senator to say that he and others wanted to carry out in the revision of the bill a policy that would be in conformity with the President's idea.

Mr. SIMMONS. Yes; that is what I said.

Mr. WALSH of Massachusetts. Does not the Senator think that whatever was the President's original idea it no longer is his idea?

Mr. SIMMONS. I am not discussing any change of mind on the part of the President. I mean what he declared when he called the extra session.

Mr. WALSH of Massachusetts. I understand; but does not the Senator think that the fact that because the leaders of the House are known to be loyal to the President and to be regular Republicans, the fact that they proceeded to draw a general tariff bill must have been with his approval or consent, and, if it was not, ought not he now say that that general revision was not in accordance with his original policy or his original idea?

Mr. SIMMONS. I do not care to indulge in any criticism of the President. I am taking his statement when he called the extra session as sincere and as representing his real convictions with respect to this matter. If he has changed his views about it, that is a matter with which I have nothing to do. What we are trying to do here is to carry out the original purpose of the calling of the extra session. In order to do that we find it necessary to deal with a bill that is a general revision, and to carry out that purpose we are compelled to discuss every item in the bill that does not conform to the call of the President.

But if we were to disregard the call, then when the items embraced in the general revision do not meet the approval of the

majority of the Senate it would be our duty to the country to discuss them and to expose their injustices and their excesses in case of unjust and excessive rates. That is what we are doing and nothing more.

I can say to Senators on the other side of the Chamber that it is our purpose and our desire to discuss these matters as briefly as it is possible in order to do justice to the subject and to comply with our manifest duty in the premises. There will be no purpose from now on, as there has been none heretofore, to delay or obstruct the due consideration of the bill; but, Mr. President, we must claim the right of full discussion of the amendments, and that right must be conceded to us.

It may be true, and I think it is true, that we can not probably pass the bill during the extra session of the Congress. I do not believe that we are going to have Senate action upon it at all during the extraordinary session. But we do not desire to throw away our labor. The next session of Congress can commence right where we leave off and can finish the work. We can pass a bill here which will meet with the approval of the majority of the Senate, but we can not pass a bill which meets with the approval of the minority as represented by what we term the Republican "regulars" in this body, because the Senate is not in sympathy with their views upon the subject. The bill can not be killed in this body unless the majority consent to it, and if the majority can rewrite it in order to make it respond to its will, it will not consent to its being killed.

The bill can be killed in conference. If the Senator from Massachusetts [Mr. WALSH] is right in his conjecture that the House is responsive to the will of the President, that it has heretofore yielded to it and will hereafter carry out his will, then the bill can be killed in conference. If I understand the attitude of the so-called regulars with respect to this question, it is that they do not expect to kill the bill in this body, but they do expect to kill the bill in conference. The senior Senator from Utah [Mr. SMOOT] will not concur in that action, because he is true to his word; but the Senator from Utah can not control the other body. If the President controls the other body, then, of course, the bill will be killed in conference if the President wants it killed there. But that will be his responsibility and that will be the responsibility of the party whose head he is. It will not be the responsibility of those who now control the majority sentiment in this body.

I am not and I do not think those who are cooperating with me here are deterred by the threat of destroying the bill in conference. That is the threat, Mr. President. The threat that is made is to destroy the bill in conference. We are not to be deterred from insisting that a bill shall be passed here and that that bill shall express the sentiment which is dominant in this body at this time. Let the conference take care of itself, and let the responsibility fall where it belongs when the bill goes to conference.

Mr. NORBECK. Mr. President, I rather resent the attitude of Senators who rise here and say that they want to call the attention of the country to the fact that we are delaying a decision on the tariff bill. It is my opinion that the country is against the bill in its present form and that explains the anxiety of some Senators to push it through quickly. I welcome the responsibility of delaying the passage of the bill until such time as every item can be shown up to the full daylight. The bill is in the interest of a certain section of the country. It does not have the approval of the Republicans here. It would be found that it has not even the approval of the Republican regulars here, if they could be gotten into the cloakroom and asked about it. What is more, it has not even got the approval of all of the members of the Finance Committee. It has the approval of a certain group which controlled the committee and wrote the schedules and then said, "If you do not pass them along we will tell the country about it." Let them tell the country about it, and the sooner the better.

We are reminded of our platform pledges in the last national convention, and I agree with the Senator from Ohio [Mr. FESS] that they are sacred, but I would call his attention to the fact—I am sorry he has left the Chamber—that nine years ago the Republican Party promised solemnly the growers of wool in the country that after that time shoddy would be labeled so the purchaser would know it from wool, and for nine years that matter has been before them and for nine years it has been neglected, possibly because it was a farmers' measure. If it had been of interest to an industrial section of the country it might have been put over.

In the Republican National Convention held five years ago another alluring pledge was made that if they carried the election they would do certain things, and on the strength of it they did carry the election. They promised that agriculture should be put on a parity with industry and labor. But that pledge

was not kept, either. Why do not Senators read those platform pledges when they are reading the Kansas City platform?

I share the view of the Senator from Idaho [Mr. BORAH] that the majority of the Senate are carrying out the wishes of the President of the United States and his recommendation for a limited tariff, but he will never get the tariff that he wants except through the insurgents on this side of the Chamber and the Democrats on the other side of the Chamber.

Mr. COPELAND. Mr. President, in my opinion anybody who took part in the campaign last fall in an active way is a competent witness to the dispute here this morning. It was the opinion of those of us who were on the platform seeking to elect the candidate of my party that because of the fear which was created in the minds of the Republican leaders the Senator from Idaho [Mr. BORAH] extracted from the President his promise for a special session of the Congress in order that the farm problem might be dealt with in some effective manner. There is no question at all that that was the original intention of those responsible for the promise of a special session. The promise of farm relief was made in order that the farm vote might be kept in line.

But when it came to the time of calling the extra session the President had brought to his attention the fact that there were a certain limited number of industries needing revision of the tariff, and so they were provided for in the call. As regards such limited need, I believe the President was right. However, it never was intended, so far as I understand the situation, that the special session of Congress should deal with a general revision of the tariff.

Those who had charge of the matter, first in the House and afterwards when the bill came to the Senate, instead of recommending a revision of the tariff to take care of the farmer and the restricted number of industries requiring immediate aid, saw fit to rewrite the whole tariff law and to bring about a general revision of the tariff. That is the sort of bill we have before us to-day.

So far as I am concerned, I am in duty bound to my constituents, thousands of whom have written to me, to protect as best I can the interests which are involved in the present general revision. I am sorry that I must take time. On the matter of oil alone I have had between 500 and 600 letters from industries in my State. I could not be satisfied nor would I be properly representing my people unless I should make clear to the Senate the objections which those particular industries have to the amendments proposed by various Senators.

Mr. President, this is the situation as I see it: If it is necessary to get this bill through next month, the only way I can see is to recommit it and to have it brought back as a bill dealing with farm products only and those few industries which the President had in mind. If the bill is to be kept before us with the intent of a general revision of the tariff, I am here to say that, in my judgment, it will be many months before the measure can be perfected, because all the matters which have been considered by the committee in the months they were in session must be gone over by this body. So, as I see it, those in charge of the bill must determine whether they are willing to have it recommitted and brought back again with material relating only to farm commodities and the few industries which the President had in mind. Otherwise, if there is to be a general revision, it will take months, in my opinion, to perfect the bill.

I can not sit down without expressing the admiration I have for the Senator from Utah [Mr. SMOOT]. He has shown infinite patience, and it will require every ounce of energy that he has, all of his physical strength, and all of his patience to put up with what he will have to endure during the weeks and months to come. If a general revision is to be insisted upon, the Senate will have to take time to consider all these elements and all these items upon their merits. That is for Senators on the other side to say.

There is no Senator here, so far as I know, who desires to kill the bill, but if it is intended to pass a general revision bill, it must be gone over by the Senate; it must be rewritten by the Senate. If, on the other hand, it is intended to pass a farm relief bill, a limited bill, all right, give us that sort of a bill; but, so far as I am concerned, as only one Member of the Senate on this side, I am under obligation to my constituents to represent the criticisms that they have offered to the bill as it is written. I hope those criticisms may be expressed in the briefest possible time, but in the very nature of things it must take time—a long, long time.

Mr. JONES. Mr. President, I myself want to see a bill passed confined to agriculture and certain limited schedules, but I suppose we have to deal with the bill as it is presented to us. I referred last Saturday to a substitute for paragraph 53. I am of the impression that no unanimous consent was given that

I could propose a substitute for that paragraph at this time; it was then objected to; but I now hope that that will be permitted. The reason I ask to do it is this: The substitute proposes an increase of rates in paragraph 53, and the same arguments that would be presented in behalf of the substitute would be presented in behalf of an increase of individual rates. I do not care to take the time of the Senate in debating the matter twice, so if I am not going to be permitted to offer my substitute now, of course, I shall not now take any time in discussing the subject. So I ask unanimous consent, notwithstanding the existing unanimous-consent agreement, that I may be permitted to propose a substitute for paragraph 53 at this time.

Mr. SMOOT. Mr. President, I am fearful if that request shall be granted that a similar request may be made as to a dozen other paragraphs, and I know that would be the case, because certain Senators have already asked that a similar course be pursued as to a number of items. I do not, however, want the Senator from Washington to feel that I desire to bar him from offering his amendment in any way, shape or form.

Mr. JONES. I could not feel anything of that kind.

Mr. SMOOT. But I am under a promise, I will say to the Senator, and I shall be compelled to object to the offering of the substitute at this time.

The VICE PRESIDENT. Does the Senator from Utah object to the request of the Senator from Washington?

Mr. SMOOT. Yes, Mr. President.

The VICE PRESIDENT. The Secretary will state the next amendment.

The LEGISLATIVE CLERK. On page 23, paragraph 53, in line 25, after the word "crude," it is proposed to strike out "10 cents" and to insert "6 cents," so as to read:

PAR. 53. Oils, animal and fish: Sod, herring, and menhaden, 5 cents per gallon; whale and seal, 6 cents per gallon; sperm, crude, 6 cents per gallon.

Mr. JONES. Mr. President, I merely desire to say at this time that I hope that amendment will be disagreed to, but, of course, if it should be agreed to, then when I offer my substitute it can be changed.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next committee amendment will be stated.

The LEGISLATIVE CLERK. In paragraph 53, on page 24, line 1, after the word "processed," it is proposed to strike out "14 cents" and insert "12 cents," so as to read:

Sperm, refined or otherwise processed, 12 cents per gallon.

The VICE PRESIDENT. The question is on the amendment reported by the committee.

Mr. SHEPPARD. Mr. President, I understand an opportunity will be afforded later for the Senator from Washington [Mr. JONES] to present a substitute for paragraph 53.

Mr. SMOOT. That is understood.

Mr. SHEPPARD. I presume the same action will be taken as to the proposal by the Senator from Idaho [Mr. THOMAS] to offer a substitute for other paragraphs relating to vegetable oils and fats?

The VICE PRESIDENT. Senators have that right in any event.

Mr. SHEPPARD. As I understand, under the agreement individual amendments may not be offered until the committee amendments shall have been considered.

The VICE PRESIDENT. Not at this time. The Senate agreed on the 11th of September to take up the committee amendments first. The question is on the amendment reported by the committee.

Mr. SHEPPARD. Mr. President, I wish to say a few words in regard to sperm oil. The question will probably come up again, but I wish to say now that the production of sperm oil in the United States decreased from 2,880,000 pounds in 1922 to 703,000 pounds in 1928. It is complained that this decline is the result of importations, which increased from 127,000 gallons in 1923 to 442,000 gallons in 1928. Although this oil is not interchangeable or competitive with other marine animal oils, it competes with the domestic vegetable oils in a number of respects, and may, through the processes of modern chemistry, develop other capacities enabling it to displace the home product. It competes directly with, and seems gradually to be supplanting, domestic sperm oil. I desire to make this observation as to all animal and vegetable fats and oils. They are interchangeable to such a degree they ought all to bear a uniform rate of duty.

As I understand, the Senator from Washington [Mr. JONES] and the Senator from Idaho [Mr. THOMAS] intend to offer amendments placing all the oils and fats under a similar rate of

duty. When that time comes I intend to support these amendments.

Mr. EDGE. I merely wish to draw the attention of the Senator from Texas to page 262 of the Summary of Tariff Information, which states very positively that sperm oil is not interchangeable or in competition with the other marine animal oils. However, as has been suggested, perhaps that can be discussed later to better advantage.

Mr. SHEPPARD. I stated what the Senator has stated.

Mr. EDGE. I thought the Senator said that sperm oil was interchangeable with other marine animal oils.

Mr. SHEPPARD. I did not so state. I said that it did compete with vegetable oil, and that, I think, can be demonstrated.

Mr. EDGE. It is a lubricating oil exclusively.

Mr. BLAINE. As I understand, the committee amendment prior to the one now under consideration was adopted.

Mr. SMOOT. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. BLAINE. I yield.

Mr. SMOOT. The amendment was agreed to. However, as soon as all the committee amendments shall have been agreed to the Senator from Washington will submit an amendment to the paragraph, and I understand from what the Senator from Idaho [Mr. THOMAS] has already stated to me, that he very much prefers to have that program carried out as to section 54 and subsequent sections covering oils.

Mr. BLAINE. Mr. President, I merely wish to say—and I am not now going to enter upon a long discussion—that to increase the tariff rate on sperm oil simply means that we are going to increase the cost of operations upon the farm. Every light rapid-moving machine, whether it is a motor for driving a cream separator, for driving a mowing machine, for driving a sewing machine, for operating electric fans, or for operating a number of other rapid light-running machines finds it essential to use this type of oil. So if we are going to increase the tariff rate on such oil we are simply voting for an increase in the cost of farm operation, and nothing else.

Mr. SMOOT. Mr. President, let me say to the Senator that the Finance Committee has reduced the rate proposed to be imposed from 14 cents to 12 cents. The statement has been made several times to me that sperm oil is used in the manufacture of soap. Sperm oil is not used in the manufacture of soap. The Senator from Wisconsin is correct; it is used for lubricating oil.

Mr. BLAINE. Let me suggest one other thought. The use of electricity upon the farm ought to be encouraged so that the farmers may universally use it for operating their light machines. We are simply placing another burden upon the farmer in the operation of his farm. That is what I object to with respect to many of the rates proposed. I approve of the reduction made by the Finance Committee in this item.

Mr. SHEPPARD. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. BLAINE. I yield.

Mr. SHEPPARD. Is the Senator from Wisconsin sure that an adequate supply of sperm oil can not be produced by citizens of the United States?

Mr. BLAINE. I am now referring to the question of farm relief. I say that every time we increase the tariff rate on anything that goes into the operation of a farm, primarily we are increasing the cost of farming. Not only is much of this oil used in connection with lubricating of implements, but much of it goes into the leather industry, and we are simply increasing the cost of leather goods. A very large portion of leather goods, by the way, such as belting, working shoes, and working boots, is essential in farm operations. We are simply increasing the cost of farming. I want to leave this thought now, that I shall oppose as vigorously as is within my power to do, all these increases that go directly to enhance the cost of farm operations.

Mr. SMOOT. I want to say, in answer to the Senator from Texas, that it is impossible for the United States to produce the sperm oil which it uses; it is compelled to import sperm oil.

Mr. SHEPPARD. The Senator makes that statement; but on what facts does he base it?

Mr. SMOOT. I base it upon the statement made by the Tariff Commission, and I base it upon the fact that it has been impossible in the past to do it. I am quite sure that if the Senator will inquire, he will find that that is the case.

Mr. SHEPPARD. Mr. President, nothing is impossible to Americans, whether on the farm, the sea, or in the factory.

Mr. SMOOT. Mr. President, we can not have sperm oil unless we have whales, and we can not tell the Senator how many whales we are going to have.

Mr. SHEPPARD. Foreigners are finding them and are supplanting Americans in this industry. In addition, it is my understanding that there are vegetable oils which may be used for the same purposes, or for many of the purposes, for which sperm oil is employed.

Mr. JONES. Mr. President, just a word.

I have the utmost confidence in the desire of the Senator from Wisconsin to aid agriculture and the farmer. I want to say that I did not introduce this amendment until a gentleman, Mr. Loomis, claiming to represent the agricultural organizations of the country, urged this amendment in behalf of agriculture. If I come to the conclusion that this is not in aid of agriculture, I shall not offer any substitute.

Mr. BLAINE. Mr. President, I want to make just one observation. We are going to have brought in here from time to time the opinion of Mr. Loomis and Mr. So-and-So, who claim to be representing the farmers. A large portion of those gentlemen do not represent the farmers. They are Washington racketeers, who are here endeavoring to hold a job at a good, high salary. Every farmer in the United States who knows anything about them knows that they do not represent the views of the farmer.

Mr. EDGE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from Wisconsin yield to the Senator from New Jersey?

Mr. BLAINE. I do.

Mr. EDGE. I want to suggest that some of these terrible men known as farm racketeers be looked over by the lobby committee.

Mr. BLAINE. Oh, I have not any doubt but that they will want to appear before the committee voluntarily and make their statements, whereupon they will receive the proper cross-examination.

I know some of these gentlemen. I do not want to bring their names into the debate. I would not have repeated a single name had it not been for the suggestion of the Senator from Washington. But we have had experience with some of these gentlemen. We have had experience with them in my own State. We are having some experience with them now. I say in all seriousness that many of these so-called farm representatives set up an office in Washington, and I am going to tell you how they function, some of them. They will have two or three representatives back in some of the States, and those two or three representatives will get together in a sort of a convention—usually they are the starched-collar representatives—and they make certain resolves as representing the views of farmers. These questions are never taken to the farm. These questions are never taken to the great agricultural organizations in a way by which the farmers have an opportunity to express their opinion. They are usually the expressions of a small coterie of gentlemen who want to set themselves up as judges of the sentiment of the farmers of this country. We had them during the consideration of the McNary-Haugen bill; and certainly the Members of the Senate ought to know that those who then pretended to represent the farmers were merely the representatives of certain candidates for President.

I need not mention the names of some of those gentlemen. I questioned their authority when the farm bill was under discussion. It is in the record. The history of the Republican National Convention demonstrates who they were and what their purposes were. We have not the same but an analogous condition existing with reference to some of these other so-called farm representatives. Why, Mr. President, they have no hesitancy, as I said the other day, in joining hands with the Southern Tariff League or the Southern Tariff Association; they have no hesitancy in joining hands with other interests in this country whose interests are inimical to those of the farmers, and marching hand in hand with those same interests, and attempting to pledge us to vote their sentiments. So I am going to call attention to this situation from time to time in the consideration of this tariff bill.

I want to say now that with respect to these rates affecting the cost of farm operation I shall vote for every reduction that is proposed by the Finance Committee unless it can be shown that those rates should be increased or changed according to well-defined policies respecting protection. I am willing to listen to the facts, but I am unwilling to listen to the voice of those who have set themselves up in Washington and whom I have characterized as having become the racketeers. I say this, Mr. President, with full consideration, full understanding of the situation, and full responsibility for what I have to say.

Mr. President, we will find in other cases exactly the same situation. There has been more propaganda issued, more pamphlets issued by certain interests in this country than ever

before, founding their argument in favor of an increased tariff on the ground that it would be farm relief. Why, Mr. President, they use this slogan, "farm relief," as a cloak behind which to hide their own selfish interests; and I shall undertake from time to time to uncloak those gentlemen.

Mr. SHEPPARD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. SHEPPARD. Does action by the Senate on any of these amendments preclude the offering by individual Senators of an amendment to the amendment adopted now by the Senate after the committee amendments have been passed on?

The PRESIDING OFFICER. It would, to the committee amendment itself, preclude a further modification by individual Members.

Mr. FLETCHER. Mr. President, of course, if the Senator from Texas desires to offer an amendment to the committee amendment, he can do so. I do not know whether he has that in mind or not. As to this committee amendment, however, I am inclined to agree with the Senator from Wisconsin [Mr. BLAINE]. If it increases the cost of operating the farm, I can see no reason at all for it. I can see very sound objections to it.

The information we have on the subject, contained in the Tariff Summary, is that—

Sperm oil is obtained only from the sperm whale. It differs from fish oil, fish liver, and whale oil in that the latter are classed as fatty oils, while sperm oil consists chiefly of wax.

I do not know of any industry in this country growing whales or propagating whales or developing oil. It seems that there is some domestic production; but the report further says that—

Production in the United States is small and is confined entirely to the Pacific coast.

Mr. SHEPPARD. Mr. President, our own fishermen catch these whales off the Pacific coast.

Mr. FLETCHER. Perhaps they do.

Mr. SHEPPARD. Besides that I want to call the Senator's attention to the fact that our vegetable oils also may be used to a great extent in uses similar to the uses of sperm oil.

Mr. FLETCHER. It seems, however, that their production is small. They do not nearly supply the demand in this country. The domestic supply last year was seven hundred and some odd thousand pounds.

Mr. FESS. Mr. President, will the Senator from Florida yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Ohio?

Mr. FLETCHER. I do.

Mr. FESS. I understand that the domestic production of whale oil is not over one-sixth of our use. In other words, five-sixths has to be imported.

Mr. FLETCHER. I really can not see any occasion for this duty being as high as the committee has fixed it. It looks to me as though it ought to be less.

Mr. SHEPPARD. Mr. President, it is claimed that the decline in American production is the result of importations, which have increased from 127,000 gallons in 1925 to 442,000 gallons in 1928. Furthermore, this whale oil is used for some purposes for which our domestic vegetable oils are also used.

Mr. COPELAND. Mr. President, what will be the effect upon the present law of the adoption of paragraph 53 as amended?

Mr. SMOOT. It is an increase from the present law on refined oil of 2 cents a gallon, but it is a decrease of 2 cents a gallon from the House provision.

Mr. COPELAND. On refined sperm oil?

Mr. SMOOT. Sperm oil.

Mr. COPELAND. What are the uses of sperm oil? Is it used for making soap?

Mr. SMOOT. Oh, no; not a pound of it goes into soap. It is all used for lubricating oil, generally on high-speed machinery.

Mr. KING. Mr. President, before the vote is finally taken I desire to ask the Senator if the committee considered the question of reducing the rate from 10 cents, which the present law bears, as I recall, to a lower figure?

Mr. SMOOT. We thought that we wanted to maintain the industry in the United States. I will say to my colleague that this is a western industry. Sperm whales are generally found in Alaska. They are caught there, and they are brought down to several places on the western coast, and that sperm oil we gave a protection, as the Senator will note, of 6 cents a gallon. The differential between 6 and 12 cents a gallon is for refining that sperm oil. The present rate on refined oil, as I have said, is 10 cents. The House gave them 14 cents, thinking they ought to have a wider spread; and the committee reduced the 14 cents to 12 cents per gallon.

Mr. SHEPPARD. Mr. President, what is the present rate on the crude oil?

Mr. SMOOT. Ten cents.

Mr. SHEPPARD. Is that the rate in the existing law?

Mr. SMOOT. That is the existing law.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 24, line 13, before the words "per pound," to strike out "4½ cents" and insert "3½ cents," so as to read:

PAR. 54. Oils, vegetable: Castor, 3 cents per pound; hempseed, 1½ cents per pound; linseed or flaxseed, and combinations and mixtures in chief value of such oil, 3½ cents per pound.

Mr. THOMAS of Idaho. Mr. President, I should like to ask the chairman of the Finance Committee a question. I have a substitute for paragraphs 54 and 55. I suppose the same situation exists there as on paragraph 53?

Mr. SMOOT. Yes. As I told the Senator when I spoke to him a short while ago, whatever amendments are agreed to here, the Senator then can offer his amendment as a substitute for the two paragraphs.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was on page 24, line 14, where the committee proposed to strike out "8½ cents" and to insert in lieu thereof "7½ cents," so as to read:

Olive, weighing with the immediate container less than 40 pounds, 7½ cents per pound on contents and containers.

Mr. GOLDSBOROUGH. Mr. President, I desire formally to present an amendment to the committee amendment in paragraph 54, line 14, by striking out "7½" and inserting in lieu thereof "10½." This relates to the duty on olive oil. The State of Maryland is particularly interested in this matter because of the large packing and distributing business in that commodity in our State.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The LEGISLATIVE CLERK. On page 24, line 14, in the committee amendment, the Senator from Maryland proposes to strike out "7½" and insert "10½," so that it will read:

Olive, weighing with the immediate container less than 40 pounds, 10½ cents per pound on contents and containers.

Mr. GOLDSBOROUGH. Mr. President, the packers of olive oil in the United States purchasing their supplies of olive oil from the various countries of production bring it here in large barrels or casks in semirefined or refined state, and then filter, blend, and pack in containers of 1 gallon tins, one-half gallon tins, one-fourth gallon tins, one-eighth gallon tins, and one-sixteenth-gallon tins.

There is a very considerable investment of capital in this business employing American labor and giving business to American tin-plate manufacturers, American lumber for making cases, American machines, American bottle manufacturers, and American lithographers.

The Fordney-McCumber tariff provided for a duty of 6½ cents per pound for olive oil imported in large containers referred to, and 7½ cents per pound on olive oil imported in small containers which includes 1 gallon, one-half gallon, one-fourth gallon, one-eighth gallon, and one-sixteenth gallon cans, and the duty is assessed on the olive oil and the container.

In order that it may be clearly understood what the differential really means per gallon, I would like to state that 1 gallon of olive oil in bulk weighs 7.61 pounds, and at 6½ cents per pound equals \$0.4946 per gallon.

One gallon of olive oil, including the container, weighs 8.5 pounds, and at 7½ cents per pounds, equals \$0.6375 per gallon.

If you will deduct \$0.4946, the duty paid on 1 gallon of olive oil in bulk, from \$0.6375, the duty paid on 1 gallon can of olive oil, you will obtain a differential of \$0.1429 per gallon. In other words, to be able to compete with the foreign shipper, the American packer would have to pack a gallon can of olive oil in the United States for \$0.1429 per gallon, which would include rent, light, heat, cans, labor, cases, nails, and all the other paraphernalia that goes to make up the cost price of an article packed here.

On page 707 of the hearings before the Ways and Means Committee, will be found a statement showing what the actual production costs are in the United States, which costs have been checked by the United States Tariff Commission.

In comparing the foreign cost with the United States cost, it should be borne in mind that the importer has already made

his profit, which includes a commission to a broker in the United States; whereas the costs which have been submitted by domestic manufacturers are production costs, with no profit added whatsoever.

The act of 1922 provided a rate of $7\frac{1}{2}$ cents per pound on olive oil weighing, with the immediate container, less than 40 pounds. When the pending tariff bill was reported to the House, the Ways and Means Committee had increased that rate to $8\frac{1}{2}$ cents per pound. This would give the packers a differential of 2 cents per pound, and it is apparently impossible for them to exist on this differential.

In the light of these facts the Finance Committee saw fit, in reporting the bill to the Senate, to reduce the House rate to $7\frac{1}{2}$ cents per pound, the rate carried in the 1922 act. This is the old differential of 1 cent per pound, or \$0.1429 differential per gallon.

In a statement made before the Senate Finance Committee, which will be found on pages 248, 249, and 250 of the hearings on Schedule No. 1, it will be noted from quotations received by cable from various shippers from Italy that the differential they make between olive oil in bulk and olive oil in gallons varies from 17 cents per gallon to 7 cents per gallon, or an average of $12\frac{1}{2}$ cents per gallon.

As I have already stated, the proofs submitted show that the actual cost of packing in domestic factories is 24 cents per gallon production cost, with nothing out for rent, interest on investment of buildings, light, heat, power, and administration.

The domestic industry engaged in importing olive oil in bulk from Spain and Italy, the two countries supplying 90 per cent of the United States imports in packages weighing less than 40 pounds, is of very great importance, and the repacked product of these firms competes with the imported packaged olive oil. Unless the differential is increased by means of a higher rate of duty, my advices are to the effect that the domestic industry will be completely destroyed. I was recently told by one of the largest importers of olive oil in this country that unless relief were given them through the pending tariff bill, it was feared that they would be compelled to give up their business in this country and reestablish the same in France.

I, therefore, have submitted the amendment which has been stated, to make the rate $10\frac{1}{2}$ cents instead of $7\frac{1}{2}$ cents.

Mr. WAGNER. Mr. President, I gave notice the other day that I desired to offer an amendment to reduce the duty proposed by the Finance Committee on packaged olive oil from $7\frac{1}{2}$ cents per pound to 6 cents per pound. I propose later to offer an accompanying amendment reducing the duty now imposed on olive oil which is imported in containers weighing more than 40 pounds from $6\frac{1}{2}$ cents per pound to 4 cents per pound.

Mr. WALSH of Massachusetts. Mr. President, may the Senator from New York offer an amendment at this stage to the amendment offered by the Senator from Maryland?

The PRESIDING OFFICER. The Senator may offer an amendment to strike out and insert.

Mr. WALSH of Massachusetts. I favor the Senator's amendment.

Mr. KING. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. WAGNER. For a question. I should like to explain my amendment and go very briefly into the history of this whole matter.

Mr. KING. I just wanted to ascertain the matter before the Senate, whether it related to the crude product.

Mr. WAGNER. No; this relates to edible olive oil. The duty proposed by the Finance Committee is $7\frac{1}{2}$ cents. I propose to reduce that to 6 cents. I am sure the Senator will be in sympathy with my amendment.

Mr. KING. What does the amendment offered by the Senator from Maryland deal with?

Mr. WAGNER. It deals only with importations of olive oil in containers of less than 40 pounds. The Senator from Maryland is not satisfied with the present high rate, and his proposal is to raise the duty to $10\frac{1}{2}$ cents.

Mr. President, I should like briefly to explain the purpose of my amendment, and the reasons which have actuated me in offering it.

The proposed rate of duty upon the importation of olive oil in packaged form—that is, in units of less than 40 pounds in weight—is $7\frac{1}{2}$ cents per pound. Computed in terms of an ad valorem equivalent that represents 40 per cent; that is, the duty imposed is 40 per cent of the value of the article which is imported.

I suppose I need not speak at length of the high quality of olive oil. Olive oil is as old as civilization. Those who occasionally read the Holy Bible know that mention of it is found scattered all through its pages. The ancient poets made it the

theme of their sublime songs. These recollections stimulate the imagination. In my discussion, however, which will be brief, I shall exercise no poetic license. I shall confine myself to the narrow limits of fact. Furthermore, in order to avoid controversy, I shall resort only to the official records which are now before us, and no fact that I shall present will have any source other than the official record.

Olive oil is not a luxury. Olive oil for many millions of American families, and families of very moderate means, is a necessity, an article of food.

It is for that reason that I am resisting the proposed rate, because I think it unfair for the Government to intervene without any justification, to charge this exorbitant rate to these millions of families who are using olive oil as a necessity of life. In addition to that, it is prescribed as medicine for children and sick people. That is another reason why its cost ought not to be lifted beyond the reach of our people.

There are some here, perhaps, who regard olive oil as coming in competition with other edible oils. Let me state to the Senators who have some doubt upon the question of competition and interchangeability with edible vegetable oils which we produce ourselves, that it is in an entirely different price classification.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. BLAINE. With the Senator's permission, before he enters upon the discussion of the subject he just suggested, I want to call attention to some facts which are matters of record. After the duty was raised—

Mr. WAGNER. If the Senator will permit, I should prefer to state my case first. If I have omitted any important statistics, I shall be delighted to have the Senator either add them to what I say, or if they are contradictory of what I say to submit them to the Senate. I prefer to go on now with my discussion.

The VICE PRESIDENT. The Senator declines to yield.

Mr. BLAINE. I thought I could expedite the discussion.

Mr. WAGNER. What is the olive-oil situation, so far as imports and exports are concerned? Let me first give the facts as to how much olive oil is consumed in this country, so that Senators will get an idea of the proportions of the product about which we are talking, and then I shall state the percentage of the demand which is satisfied by domestic production and the percentage satisfied by importations.

I shall take the figures most favorable to those who favor this high rate of duty. I shall take the figures for 1928, as they appear in the Summary of Information.

In 1928 we consumed in this country 84,829,917 pounds of olive oil.

What did we produce domestically of that entire consumption? Our domestic orchards contributed 1,438,017 pounds. The imports amounted to 83,391,900 pounds. In other words, our domestic production was 1.8 per cent of the entire consumption in the United States and imports represented 98.2 per cent.

Mr. TYDINGS. Mr. President, will the Senator kindly repeat that last statement?

Mr. WAGNER. Of the entire consumption of olive oil in this country, our domestic production was 1.8 per cent. If we take the average of domestic production and its relation to consumption for the period from 1923, when this higher rate of duty went into effect, until 1928, we find that the average domestic production was 1.25 per cent of the consumption of olive oil in this country. At \$3 a gallon, the value of the average annual production of olive oil in this country is \$420,000. Averaging the period from 1923 to 1928 and using the highest price per gallon which it has brought in that time, the value of our annual production of olive oil in this country is \$420,000.

Mr. COPELAND. Mr. President, will my colleague yield?

The VICE PRESIDENT. Does the Senator from New York yield to his colleague?

Mr. WAGNER. I yield.

Mr. COPELAND. The Senator spoke about the use of olive oil. I suppose there are some who feel that perhaps if the foreign oil were embargoed those same people would eat butter, but, of course, that is not true. Of course, in the East great groups of foreign-born people have always used olive oil and they would continue to use olive oil, but would have this unnecessary burden of cost put upon them.

Mr. WAGNER. Of course, I do not know what may be the motive behind this extraordinary duty, this very unjustifiable duty.

Mr. TYDINGS. What is the motive?

Mr. WAGNER. I do not know what is the motive. I only mention the facts as they come to my knowledge.

Mr. SHORTRIDGE. Mr. President, the motive is to build up an American industry.

Mr. WAGNER. If the Senator will be patient I shall convince him that he has not built up an American industry and that the promises which the Senator made in 1922, when he painted to the Senate a very rosy picture of the potentialities of the business under an increased duty, have not been fulfilled. I will show in a moment just what the real situation has been and is.

There can be no other motive except to protect the solitary 1 per cent of production, because olive oil does not come in competition with any of the other edible oils produced in this country. The reason for that is that there is a great disparity in the price at which the articles sell. For instance, olive oil brings about 33 cents per pound while cottonseed oil brings about 10 cents per pound and corn oil brings about a like sum. They are in no way competitive.

What were the consumers of the country taxed in order to protect this industry which represents only 1 per cent of the entire consumption of olive oil in this country and which in value represents but \$420,000 a year? Listen to these extraordinary figures. The consumer of the United States has been forgotten in the discussion. We have talked about profits, but we have paid very little attention to the consumer. He has been totally disregarded, but I want to say a word in his behalf. Here is what he has paid in order to protect an industry which produces only 1 per cent of the entire consumption of the country. He paid \$6,000,000 in duties collected last year! On the entire chemical schedule, which includes paints and oils, all that we collect is \$27,000,000 per year, and of that \$27,000,000 olive oil pays \$6,000,000 to protect an industry representing but \$420,000 per year and which has not grown during the entire period that it has been under the protective system since 1922.

Mr. SHORTRIDGE rose.

Mr. WAGNER. I will give the Senator from California the figures if he will be patient.

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. WAGNER. I yield.

Mr. SHORTRIDGE. Does the Senator not believe in levying a tariff for revenue purposes, limited to the very naked question of imposing a tariff upon imports for revenue purposes only?

Mr. WAGNER. If the Senator wanted to collect a duty for revenue purposes, he would be advocating a reduction in many of the rates, industrial as well as agricultural rates, which he is now asking to increase or which he is advocating shall remain at their present high level. Why throw a smoke screen around the discussion by the suggestion that the Senator is interested only in the question of collecting a duty for revenue? If revenue is what we seek, why derive it from the poor families of our country? Why should they be burdened with a sales tax of \$6,000,000 a year on a food product which they consume? No, Mr. President, it is not revenue but protection which is demanded by the Senator from California, although that State—and none other is interested—produces but 1 per cent of the olive oil consumed in the United States.

The average annual duty collected on olive oil from 1923 until 1928 was \$5,607,152. This tax—and this is such an extraordinary figure that I know Senators may doubt it—represents thirteen and a third times the value of the domestic production. The consumers have annually paid in taxes thirteen and a third times the value of the domestic supply.

Using the absolute figures and not averages, we have collected from the consumers during the period I mentioned \$33,642,911 to protect domestic products having an estimated value of \$2,500,000. Let me repeat that statement so I may impress the figures upon the minds of Senators. From 1923 until 1928 we collected \$33,642,911 in customs receipts in taxes upon the American consumer of olive oil, to protect a domestic product having during that same period an estimated value of \$2,500,000.

Mr. FESS. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Ohio?

Mr. WAGNER. I yield.

Mr. FESS. I should like to ask the Senator whether he has gone into the subject with reference to our ability to produce? That is, if we had an adequate protection of olive oil, would we increase our production so that ultimately we might use our own product entirely? If that were true, I would look upon an increased duty with some favor. If it is not true, I could not.

Mr. WAGNER. A little later I shall give the acreage and perhaps that will be a better time to answer the Senator's question. I could answer it now but perhaps I would only be duplicating what I propose to say later.

In order that Senators may appreciate the enormity of this tax, the extent to which the high protectionists have gone—I might say that they have gone "high protection mad"—I would like to point out that in 1927 our customs officials collected \$5,092,791 upon imported olive oil, and during the same year our domestic producers devoted only 2,870 tons of olives to be crushed into olive oil. That means, and we can get no other meaning out of it, that for every ton of olives, which, according to the olive growers, cost but \$62.50 per ton to produce, we have collected \$1,770 in customs duties.

What is the economic situation of the olive grower in the United States? The crushing of the olives for olive oil is after all only a by-product of the industry. Primarily the orchards of California are devoted to the production of ripe olives which are canned and sold in the domestic market. In that economic field undoubtedly the California olive growers are superior to any in the world. They produce a ripe olive which I think is the finest in the world. The olive oil is merely a by-product; that is, the olives used for olive oil are so set aside because of shape or some other imperfection making them unsuitable for canning.

Of the entire domestic olive crop approximately one-fifth is crushed into oil.

The olive grower has not suffered any serious financial setback, according to the records contained in the California Crop Report, which is an official report. That document shows that the cost to the farmer of producing a ton of olives is \$62.50. If any Senator has any doubt about these figures, I will say they are found on page 4568 of the hearings before the Ways and Means Committee, and were presented by a representative of the olive growers. According to this California Crop Report for 1928 the value to the farmers per ton of the olives they raised was as follows:

In 1924 the value of a ton of olives, which, as I have stated, it cost the farmer \$62.50 to produce, was \$92; in 1925 the value per ton was \$60. That was a bad year, when there was a general lessening of the demand for olives; but in 1926 the price came right up again to \$80; in 1927 it was \$80, and in 1928 it was \$80. In other words, the grower has obtained a profit of 33 1/4 per cent upon the olives which he has produced, so that there is no question of financial distress.

Of course, in all cases where an increased rate is sought those asking it are very apt to make exaggerated statements. So I notice in the hearings before the Ways and Means Committee that those who represented the olive growers of California, among other things, stated that their industry employed from 8,300 to 8,500 people who were dependent upon the industry for a livelihood. If that were so, then each one of 8,500 men was earning just \$200 a year, since the total value of the olive crop was \$1,720,000. These figures show the absurdity of the contention that 8,500 persons are employed in olive culture.

A moment ago the Senator from Ohio [Mr. Fess], who has since left the Chamber, stated that if he thought the industry could by protection be built up so as to supply a substantial part of the demand for olive oil in this country, he would favor protecting the industry. In 1922, after the entreaties and the fervid advocacy of the two distinguished Senators from California, the industry received an increase of duty. I read their speeches and the glowing promise that was made to the Senate. California produced but 1 per cent of the American consumption, but they said, "Give us this protection, and within five or six years"—I have forgotten the exact prediction—"we will supply a substantial part of the demand for olive oil in this country."

At that time there were in California 24,500 acres of bearing olive trees. In 1928 there was exactly the same acreage. In other words, from 1922 to 1928, so far as acreage was concerned, the situation was absolutely static.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. WAGNER. I yield.

Mr. SHORTRIDGE. Will the Senator from New York be good enough to restate the acreage in olives which he has given?

Mr. WAGNER. I will give the Senator the exact figures. The acreage in 1922 was 24,501, according to the California Crop Report records, of which I hold a photostatic copy. In 1928 the acreage was 24,500; so there was an acre less in 1928.

Mr. SHORTRIDGE. What is the authority for the figures the Senator is giving?

Mr. WAGNER. It is the California Crop Report of the Senator's own State.

Mr. SHORTRIDGE. For 1928?

Mr. WAGNER. In 1928 the acreage was 24,500. If the Senator will wait a moment, I will give him the forecast for

1929, which is 24,000 acres; in other words, there has been a reduction of acreage instead of an increase.

Mr. SHORTRIDGE. There have been nearly 33,000 acres planted in olives, but probably they have not yet come into bearing. The olive is a very slow growing tree, but fully 33,000 acres have been planted in olive trees that will soon come into bearing.

Mr. WAGNER. Mr. President, I can only rely upon the records as I find them, and I stated early in my discussion that all that I said here would be taken from the official records. The report from which I have read is the California Crop Report, which is a joint report made by the Department of Agriculture of the State of California and the Federal Department of Agriculture. During the 7-year period when olives have had very high protection there has been absolutely no increase either in acreage or in the production of olives for the manufacture of olive oil. So, Mr. President, the argument that if we would afford protection to this infant industry it would grow until finally it would be a substantial industry and supply a very considerable portion of the demand in this country does not apply in this case.

The industry has not grown an inch since protection was afforded; and, strangely enough, from 1913 to 1922, under the Underwood tariff law, when the rate of duty was lower, the progress of the industry was greater than during the period of seven years when protection was afforded. The acreage of olive-bearing trees increased from 13,000 to 24,000, while from 1922 until the present day it has been absolutely static; there has not been an additional acre devoted to the production of olives.

Mr. President, so that I may not be misunderstood, let me say that I favor protecting American industries where competitive conditions justify such a course. I favor the protection of an infant industry if there is some reasonable evidence of potentiality, if there is a reasonable chance of development, so that it will in time become one of the industries of our country. In this case, however, the domestic industry produced in 1922 only 1 per cent of our entire consumption, and in 1928 the percentage was perhaps slightly smaller. During that period of time those engaged in this industry have collected from the American consumer over \$33,000,000 in order to protect an industry the total value of whose product during that same period was only \$2,500,000. Mr. President, this is an extraordinary situation. There is absolutely no justification for the imposition of the proposed tax.

Of course, the producers now say, "If you will give us a tax of \$1.25 a gallon"—I am speaking of the request which was made before the Ways and Means Committee—"then we will extend our acreage." They admitted that in order to come near supplying a substantial portion of the domestic demand they would have to increase the olive-orchard acreage from 21,000 to 125,000. That must take years. In the meantime the Senate is asked to compel the consumer of the United States to pay an added cost, an extortionate, oppressive cost for this commodity, in order to protect an industry that represents but 1 per cent of the consumption of this country.

The Senator from California, by what he said a moment ago, conceded that it takes 12 or 14 years for an olive tree to become a bearing tree; that from the time it is planted until it actually bears olives covers a period of about 12 years. Let us indulge the fantastic hope that those engaged in this industry will at once, over night, plant 120,000 acres. Of course, it is fantastic; but I am assuming it. In that event we will have to wait 12 years before that acreage will produce any olives, and in the meantime, according to accurate calculations which I have made, under the rate of duty which the producers asked before the Ways and Means Committee the American consumer will have to pay a tax of \$180,000,000 in order to protect an industry which now represents but 1 per cent of the entire consumption of this country.

There is not any other side to it, unless we are going to indulge again in generalities about helping the farmer. We have tried in this instance for seven years to help the olive producer, but the acreage of olive trees is the same to-day as it was in 1922. I am very confident that if the Senate will study the facts it can come to but one conclusion, namely, that the duty proposed will be oppressive to the American consumer and without benefit to the economic interests of the country.

Mr. JOHNSON. Mr. President, if there ever was an industry that was appealing and persuasive in its request for protection under this bill, it is the olive industry of California and the budding industry in the State of Arizona.

If you compare at all, sir, the wages that are paid in the one country or the other—the country from which our olive oil is imported with the wages that are paid in this country—it will be obvious at once that there should be some protection given,

if protection be a policy of this Nation, to an industry which pays the prices that are paid in this Nation for the labor in the olive industry and in the canning industry that is connected therewith.

The Senator from New York [Mr. WAGNER] speaks very feelingly for the consumer, but he recites the brief of the Italian Chamber of Commerce of New York; and in reality this contest resolves itself into the industry in the State of California and in the State of Arizona, on the one hand, and the gentlemen who import in New York City, upon the other.

Mr. WAGNER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from New York?

Mr. JOHNSON. I yield to the Senator.

Mr. WAGNER. I just want to assure the Senator that whatever facts I presented here were the result of my own personal research into the official records—

Mr. JOHNSON. Oh, I do not doubt that.

Mr. WAGNER. Because I wanted to be sure that none of them could be challenged by the Senators from California or any other Senator.

Mr. JOHNSON. Oh, I would not question the research of the Senator from New York in the slightest degree. I recognize that what he has said represents his research; but it represents as well exactly the brief that has been presented to the various committees at different times by the Italian Chamber of Commerce of New York; and the contest that has been waged in the committees on the question of duty on olive oil and olives is a contest which has been waged by what the Senator terms "a small industry" on the one side, of those who are from the soil endeavoring to produce, and those who import upon the other, most of whom are embraced within the Italian Chamber of Commerce of the City of New York.

The olive industry in the State of California has had a pretty tough time in the last few years. I do not need to advert to the reasons that have caused that difficulty, but unquestionably it has existed. The industry, sir, has, notwithstanding, done its utmost; and it requires, if ever an industry did, protection at the hands of the Congress and of the Senate for its rehabilitation, if you wish to put it that way, or for its continuance in its present aspect.

Olive culture in California consists of two interrelated, intermingled branches. The first is the canning of olives; and so successfully have olives been canned in the State of California at present that the ripe olive from that particular territory, as the Senator from New York remarked, constitutes, indeed, the best and finest of olives from all over the world. But, sir, in conducting that particular kind of an industry it is essential that the pick be standardized; and only standardized olives can be canned in the fashion in which they are canned in the State of California; and they are canned, because they represent but a moiety of the entire crop, at very, very great expense. The remainder of the crop, which does not reach the standardized condition of that which is put into cans, is devoted to olive oil. The olives thus used are of no less good character; but if you are familiar with the standardization projects in relation to fruit, olives, and the like, that obtain in the West, and I imagine in Florida and in other States, too, you will know that fruit that is just as good as that which is canned nevertheless can not be used because it does not reach exactly the size or the shape required for the standardized article. Nearly 40 per cent of the olives, therefore, in the State of California and those few that are used from the State of Arizona are used in olive oil, difficult of making, but a part of the industry, and which must be utilized for the purpose of permitting the industry to maintain itself at all.

We compete with the Mediterranean countries—the Mediterranean countries wherein this has been an industry for many, many years in the past—and when I say to you that France gives a bounty for the purpose of maintaining olive culture within that country, and that Australia in the past has offered a bounty of like character, you will realize that countries beyond the sea offer protection to their people such as in reality we are asking for our people under a tariff law.

Labor costs in the olive industry in the United States have not declined in the past eight years. In many instances they have increased. Labor employed in olive orchards at this time and for several years past is paid for at the rate of \$4 per day. This is an average figure. None can gainsay that. Male labor in the olive factories is paid from \$4 to \$6 per day, according to the nature of the work, while female factory workers have received a minimum wage of \$16 per week. Now just compare those wages that we are required to pay in what you may term a small industry, but which nevertheless represents many thousands of acres of land and many millions of expenditure,

with the wages that are paid in the Mediterranean countries with which we are compelled to compete.

The latest figures obtainable from the Mediterranean olive-producing countries, gathered through our own official agencies, show that in Greece labor in the orchards, male, is now being paid at the rate of 60 drachmas per day, 78 cents United States money. Female labor in the orchards receives 30 drachmas per day, 39 cents United States money. In Italy male workers employed in the olive orchards received last season 53 cents in United States money, and female workers 36 cents per day of seven hours. Factory workers, male, were paid \$1.21 to \$1.46 in United States money per day of 14 hours. The United States Trade Commission at Rome, writing under date of November 23, 1928, says:

The daily average for olive pickers in Sicily is 26 cents per day. Workers in the olive-pressing mills are paid on the basis of 84 cents, United States money, per day.

There is an average. Compare that with your four, five, six, and six and a half dollars per day paid in the United States—a small industry, it is true, but it represents 8,500 people. It represents some thousands of acres of land. It represents \$30,000,000 of investment; and there are, in addition, lands in California and lands in Arizona sufficient to continue this industry and to permit it to expand if it has the appropriate protection from the Congress of the United States.

That is the situation that is presented by this article. Not alone is the situation such as I present, that you may deem provincial in character, but, under the rates that were put into the Record by the senior Senator from Kansas [Mr. CAPPER], emanating from the American Farm Bureau Federation, I find that olive oil is there. By the American Farm Bureau Federation a duty is asked for it of 10 cents per pound and not less than 45 per cent ad valorem.

We had some discussion to-day as to whether we were dealing with agricultural products or whether we were dealing with other products industrial in character. It was asserted on the one hand that this was a session entirely for the purpose of developing agricultural protection. If it be that, here is an instance that commends itself to the Senate wherein an adequate duty ought to be accorded to a particular agricultural industry, a duty not excessive but essential and wholly just.

Mr. WAGNER. Mr. President, I do not want to prolong the discussion unduly. I will merely make this observation:

In nothing that the Senator said did he contradict one assertion that I made in my presentation; namely, that the domestic industry represents but 1 per cent of the total consumption; that during the whole period of the protection it has been receiving it has not increased one acre; and that, furthermore, that which is produced in California in no way comes in competition with that which is imported. It is so small and infinitesimal a proportion of the entire consumption that there is no competition, and the American producers never have any difficulty in selling that which they produce.

Mr. SHEPPARD. Mr. President, I desire to submit one observation.

According to my information, there is no fundamental difference between olive oil and cottonseed oil. The general public is as satisfied or will be satisfied with the latter as with the former. I think it accurate to say, therefore, that every gallon of edible olive oil imported into the United States displaces a domestic product which could be used for the same purpose. Therefore, in order to provide a wider use for American agricultural products, I shall support the proposed increase in duty.

Mr. WAGNER. Mr. President, I just want to answer the assertion which is made, which has no basis at all.

How can there possibly be any competition between olive oil, cottonseed oil, and corn oil? Olive oil to-day brings 33 cents a pound. Cottonseed oil and corn oil bring 10 cents a pound. How can it be said that there is the slightest competition between them?

Mr. SHEPPARD. Mr. President, it does not follow that there is no competition between them because one has a lower price than the other.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Maryland [Mr. GOLDSBOROUGH], which will be stated.

The CHIEF CLERK. On page 24, line 14, the Senator from Maryland proposes to strike out "7½ cents" and insert "10½ cents," so that, if amended, it will read:

Olive, weighing with the immediate container less than 40 pounds, 10½ cents per pound on contents and containers.

Mr. KING. Mr. President, evidently we have been debating another amendment. I supposed that the Senator from New York [Mr. WAGNER] had offered an amendment to the amend-

ment offered by the Senator from Maryland, and that that was the question before the Senate. If I am in error, I shall be glad to be advised.

The VICE PRESIDENT. The pending amendment is the one offered by the Senator from Maryland [Mr. GOLDSBOROUGH].

Mr. KING. Mr. President, just a word with respect to the amendment offered by the Senator from Maryland [Mr. GOLDSBOROUGH].

I think there would be a great deal more sympathy for an amendment that looked to the protection of the olive grower than to the protection of some middleman, some intermediate organization that was trying to make a profit out of the products of the olive growers. The amendment offered by the Senator from Maryland is not for the protection of the olive grower or those who produce olive oil; it does not reach the producer of olives, but only the dealer or middleman, who projects himself into the picture and profits by the toil and labor of others. The Senator is speaking for some organization or organizations in Maryland that are engaged in removing the imported oil from the large vessels in which it is brought to our shores and in placing it in small cans for distribution. The spread between the prices paid the producers of oil and the public who buy the oil is now entirely too great, and the canners are receiving too large a part of the price paid by the consumers. This amendment is to increase the spread and add to the profits of the middlemen.

I confess that I am not in sympathy with this proposition—if the cost of olive oil is to be increased—let the benefits go to the producers, not the intermediate man or organization or broker.

I shall vote against the amendment of the Senator from Maryland and support the amendment offered by the Finance Committee. The Finance Committee is so seldom right that when it is right I desire to support it.

Mr. GOLDSBOROUGH. Mr. President, in reply to the Senator from Utah I should like to say that my amendment is not in the interest of the middleman, it is not in the interest of the broker, but is in the interest of firms and corporations that are engaged in importing olive oil and taking it out of large containers and putting it into smaller containers. It means protection to American labor, the men who manufacture boxes, men who are lithographers, men who manufacture cases. It is a question absolutely of protecting American industry, and does not mean the protection of the broker or the middleman.

Mr. WALSH of Massachusetts. Mr. President, this is the first provision of this bill that bears upon our interchange of commerce with Italy.

I was interested to get some first-hand knowledge as to just what agricultural products Italy receives from our country and just what agricultural products Italy sends to our country. So a few nights ago, in conversation with the Italian ambassador, I asked him to furnish me with the latest available statistics showing the kind and amount of agricultural products we send to Italy and the agricultural products Italy sends to us. The figures are most impressive. I present them in urging upon the Senate to exercise care and caution about levying increased duties upon imports from Italy to this country.

This memorandum, which I will ask to have printed in the Record, states that this country sends to Italy wheat, corn, wheat flour, dried fruits, raw tobacco, cured tobacco, pork fats, lard, and raw cotton. The total amount of purchases by the Italian people of American agricultural products is 2,641,093,058 lire or \$133,000,000. Of these agricultural products raw cotton is highest in value of all the American agricultural products shipped to Italy, representing the enormous figure of 1,594,567,805 lire. The amount of wheat purchases is 949,827,458 lire.

As against these purchases from us, we are buying from Italy only 485,901,720 lire, or \$24,000,000 worth of products. In other words, they are purchasing from us five times the amount of agricultural products we are purchasing from them under existing commercial circumstances, including the present tariff duties on both sides.

Let me enumerate the leading Italian agricultural commodities exported to the United States, together with the amounts in value:

	Lire
Cheese.....	245,000,000
Lemons.....	54,000,000
Dried fruits.....	70,000,000
Tomatoes and tomato paste.....	89,000,000
Olive oil.....	10,000,000
Chestnuts.....	16,000,000
Total.....	485,901,720

Mr. President, practically every one of those agricultural products produced in Italy and shipped here is consumed by our

Italian-American citizens. The Italian-American does purchase and will purchase, no matter what duty we fix, a certain grade and class of Italian cheese. The Senator from Utah [Mr. Smoot] is familiar with that, and very appropriately nods his head in approval.

Again, the Italian-American purchases, and will continue to purchase no matter how much duty we place upon these commodities, the Italian-made olive oil, because of the particular characteristics it possesses, which our domestic olive oil does not possess.

Are we going to proceed to attempt to destroy this important foreign business by increasing the duties upon the limited imports of Italian products? Are we going to destroy that business, wipe it out, or at least diminish it, and expect the Italian people in Italy to continue to buy our agricultural products—the cotton of the South, and the wheat of the West, and the like—without resentment and reprisal?

I protest against increasing this duty, and I want to say that I intend, further, to oppose increasing the other duties upon products entering this country from Italy. I do so, first, because it resolves itself finally down to nothing more nor less than a consumer's tax, and a consumer's tax upon poor, hard-working people among our fellow countrymen; and, secondly, it constitutes a needless offense to a friendly country carrying on commercial intercourse with us to our great advantage.

This small, insignificant import business with Italy, compared with the much larger volume of our export business with Italy, is due to the fact that the Italian people, who have come here and settled here and become law-abiding, industrious citizens, have a fondness, a taste, and a desire, for the homemade products, which give them a satisfaction that no domestic products have been able to give.

It is sumptuary legislation pure and simple—a consumer's tax, if there ever was one, nothing more nor less—and I protest most strenuously against starting now to increase the duties upon these products, which will bear heavily upon a large number of our people, and which can have no other result than to create commercial animosities, jealousies, and misunderstandings between our people and the Italian people.

Mr. WALSH of Massachusetts subsequently said: Mr. President, during my observations a few moments ago I referred to a letter, a table, and a brief and extracts from my speech upon this subject in 1922, which I then omitted to ask to have printed in the RECORD in connection with my remarks. I now make that request. The situation with respect to this duty has not changed since 1922, except to emphasize the indefensible character of this duty.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ROYAL ITALIAN EMBASSY,
Washington, September 21, 1929.

Hon. DAVID I. WALSH,

United States Senator, Washington, D. C.

MY DEAR SENATOR: The other night you asked me the statistics of exchange of agricultural products between the United States and Italy. Herewith inclosed I am sending you a statement of facts. The total exportation of Italian agricultural products to this country in 1928 represent a value of 485,901,720 Italian lire, which means approximately \$24,500,000. The total exportation of American products to Italy in 1928 represent a value of 2,641,093,958 lire, which means \$133,000,000. The American agricultural exportation to Italy represent, therefore, more than five times the importation of agricultural products from Italy.

Believe me, my dear Senator, very sincerely yours,

MARTINO.

Importation of agricultural products from the United States into Italy during the year 1928

	Lire
Wheat.....	949,827,458
Corn.....	5,981,553
Wheat flour.....	2,712,674
Dried fruits.....	15,951,028
Raw tobacco.....	20,964,210
Cured tobacco.....	2,073,603
Pork fats.....	26,837,339
Lard.....	22,178,238
Raw cotton.....	1,594,567,855
Total.....	2,641,093,958

Importation of agricultural products from Italy into the United States during the year 1928

	Lire
Cheese.....	245,202,060
Lemons.....	54,500,920
Dried fruits.....	70,139,458
Tomatoes and tomato paste.....	89,589,469
Olive oil.....	10,096,063
Chestnuts.....	16,373,750
Total.....	485,901,720

BRIEF OF SENATOR WALSH OF MASSACHUSETTS ON OLIVE OIL, PARAGRAPH 54, IN OPPOSITION TO INCREASING DUTIES

Domestic production: Domestic production of olive oil is limited to California, where olive oil is produced as a by-product from cull, miscolored, misshapen, or small olives, which can not be profitably used in the production of canned ripe olives, or salt-cured olives. Under the present tariff act, during the period 1923 to 1928, inclusive, the average annual United States production of olive oil has been 137,829 gallons, or 1,048,878 pounds.

Imports: Imports come almost entirely from Italy and Spain. During the period 1923 to 1928, inclusive, they have averaged annually 79,025,611 pounds, or about 10,384,000 gallons. The domestic production has supplied on the average somewhat more than 1.25 per cent of the total domestic consumption. The estimated annual average value of the domestic production, calculating a gallon of California olive oil as being worth \$3, has been about \$420,000; the average duties collected annually have been \$5,607,152, or 13.35 times the total value of the domestic production. For the period 1923 to 1928, inclusive, there was collected in duties on imported olive oil, \$33,642,911 to protect an estimated total value of domestic olive oil for that period of \$2,500,000.

The effect of the duty on olive oil: The duty on olive oil is fully effective in raising the price of not only the domestic olive oil but also the imported olive oil. In addition to the duty on olive oil, there are also duties on green olives and ripe olives. These latter duties are designed to protect the domestic production of olives. The bearing acreage of olive trees in California has increased from about 13,000 acres in 1913 to 24,500 in 1928. However, the accompanying increase in the production of olives has not been reflected by any important increase in the production of olive oil. The olive-growing industry made its greatest progress during the tariff act of 1913 when the rates of duties for both olive oil and olives were considerably lower than in the present tariff act. The result of these protective duties has been as follows:

No material increase in olive-oil production.

No domestic development of green olives in brine similar to those imported from Spain.

A virtual monopoly in the production of canned ripe olives.

An increase in production of dried, salt-cured, ripe olives.

The duty on olive oil is higher on imports coming in small containers. On imports of olive oil in bulk it amounts to 49.5 cents per gallon. On imports of olive oil packed in gallon cans it amounts to approximately 64.7 cents per gallon, and increases on the smaller sizes because on packaged olive oil the duty is collected on the total weight of the olive oil and its immediate container. The higher duty on packaged olive oil was designed to protect domestic firms who import olive oil in bulk from Italy or Spain, and repack it in small containers for the ultimate consumer. Although the present tariff act increased the differential between the duties on bulk olive oil and packaged olive oil, there has been no increase during the past six years of imports of bulk olive oil. About 60 per cent of the imports come in packed in small containers. It appears that the consumer prefers olive oil packed in the country of origin, particularly Italy, because he is assured of obtaining unadulterated olive oil. The records of the food, drug, and insecticide administration, which has charge of enforcing the pure food law, show a large number of violations of the law because of adulterating or misbranding olive oil. This is because olive oil is the most expensive of the common vegetable oils, and is readily blended with other oils, such as cottonseed, corn, peanut, and soybean, all of which are considerably cheaper. If there had been no differential in duties between bulk olive oil and packaged olive oil, the duty collected during the period 1923 to 1928, inclusive, on packaged olive oil would have been \$16,427,000 instead of \$21,172,000. In other words, during this 6-year period for the protection of domestic packers of olive oil there has been collected over and above the duty levied for bulk oil, \$4,745,000, or \$790,000 annually. Thus for the years 1923 to 1928, inclusive, of the total duties collected on olive oil for the period, \$33,642,911, the amount to protect the domestic producer of olive oil was \$28,898,000, and the amount to protect the domestic canner of imported olive oil was \$4,745,000. In the face of these large sums of money paid by the ultimate consumer there has been no appreciable increase in the production of domestic olive oil, nor of the canning of imported olive oil.

Consumption of olive oil in the United States: No distribution studies have been made accurately showing the distribution and consumption of olive oil in the United States. Certain estimates made by the trade, however, are of value. It is estimated that about 1,000,000 gallons annually are employed in the food and other manufacturing industries, and that about 80 per cent of the remainder is used as a food by residents of Italian, French, Spanish, and Greek descent. The balance is consumed as food by native Americans. According to the census of population in 1920, there were in the United States at that time 3,336,941 persons of Italian origin, the most important consuming group for olive oil. The following tables show the distribution of persons of Italian origin by important States and cities:

Persons of Italian origin, by States, in 1920
[Source: United States census]

State:	Number
New York	1, 124, 433
Pennsylvania	470, 399
New Jersey	344, 468
Massachusetts	238, 178
Illinois	195, 804
Connecticut	168, 740
California	167, 760
Ohio	119, 501
United States	3, 336, 941

Persons of Italian origin, by important cities, 1920
[Source: United States census]

City:	Number
New York	802, 946
Philadelphia	136, 793
Chicago	124, 184
Boston	77, 105
Newark	63, 589
San Francisco	45, 599
Providence	42, 018
Rochester	36, 731
Cleveland	35, 687
Buffalo	34, 955
New Haven	34, 558
Jersey City	33, 767
Pittsburgh	32, 595
Detroit	29, 047

The above tables include residents born in Italy and native (United States) born children, one of whose parents was born in Italy.

It appears logical to state that much of the imports of olive oil are consumed by a hard-working, laboring portion of our people, who can ill afford to pay high prices for a food which they look on as a necessity.

Upon all these facts increased duties are indefensible. Indeed, the only fair conclusion to be deducted from all the evidence is that the present duty should be reduced. To increase the duty would amount to levying a per capita tax of several cents upon all Americans, or a tax of several dollars annually on that particular group of Americans who use olive oil as a food product.

[Extracts from CONGRESSIONAL RECORD of May 15, 1922]

Mr. WALSH of Massachusetts. Mr. President, the only purpose in fixing these tariff duties at a rate larger than the present law is to further render protection to those engaged in the industry by making the import price higher. The evident purpose of the committee's amendment is to increase the price to the consumer in order that the producers of olives in southern California may be able to raise their prices, and thus obtain, if possible, some further protection. As a matter of fact, no tariff rates are a protection, because the olives which are protected in southern California rarely ever find their way to the Atlantic seaboard. The freight rates are so high and the supply is so limited that the Atlantic seaboard depends almost entirely upon the importations of olives and of olive oil from Spain and from Italy. Whatever tariff rates we make can not help California producers, for they do not and can not supply the Atlantic seaboard market.

There has been a very large increase in consumption. It is becoming an important food product with a very large number of our people, particularly with certain foreign elements living on the Atlantic seaboard. I have received communications from Italian-American societies in my own State and in New York protesting very vigorously against the tax.

There can be no convincing defense made even for the committee rates. There has been no development of the olive-oil industry in this country, notwithstanding the fact that there was a rate fixed under the Underwood law to provide some revenue for the Government, and the imports have been constantly and steadily increasing, and will increase, because the domestic raisers of olives are not able to supply the demand, especially for the eastern market.

Mr. President, the facts about olive oil are very simple, and I almost feel like apologizing to the Senate for taking so much time. Here is a food product. Our people demand that we import it in very large quantities. Only a small fraction of our consumption is or can be produced in America. Are we prepared—are we ready—to double the tax upon this food product in view of the fact that we must go to foreign markets to supply the demands of our people? Are we determined to propose an additional burden of \$2,000,000 on the consumers of olive oil in this country for the benefit of a few persons in the southern part of the State of California who are engaged in the business of raising olives?

I think we should stop and seriously consider the tremendous tax upon the consuming public, which we are piling up here item after item. Before we get through with the bill we will be placing a tax on the consumers of America of several billion dollars per annum. I can not understand why the floodgates have been opened so wide, why we are protecting every industry that can produce anything in America and can show that it costs more to produce here than upon the other side of the Atlantic.

I ask again, What is the purpose of a free list except to admit free of duty into this country the commodities which our people need and which we are unable to produce in any substantial quantity in our own country? If this is not one of the items that ought to go on the free list, I do not know of any item that ought to go on that list. I say that reluctantly, because I appreciate the development of this industry which has been attempted in the State of California, and I feel that reasonable encouragement ought to be given to those engaged in it; but the fact is that olive oil and olives do not reach even the Atlantic seaboard from California, and in the East we are totally dependent upon the foreign supply.

The trouble with the product now under consideration is that there is no evidence that the amount of olive oil being produced in this country is sufficient to take care of our consumption; and there is no likelihood of the industry, for years and years to come, ever developing to such an extent as to be able to take care of our consumption.

Mr. KING. Mr. President, in view of the statement just made by my friend from Massachusetts—and I heartily concur in what he said—I call attention to the report submitted by the Department of Commerce, found in the Commerce Yearbook of 1929, page 167.

Exports to Italy for the year 1928 were more than \$162,000,000. I call the attention of my friend from Texas to the fact that the cotton exports to Italy increased by \$18,286,000 and our copper exports increased by \$5,846,000.

Mr. McKELLAR. Mr. President, will the Senator state, if he has the figures there, the amount of cottonseed products exported to Italy?

Mr. KING. There were none, so far as I know; but a great variety of American products were exported to Italy.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. WALSH of Massachusetts. The figures which I presented were only with respect to agricultural products interchanged between the two countries. The figures which the Senator is giving include all the exports and imports.

Mr. KING. Yes. We imported from Italy during the same period only \$108,000,000 worth of products, a decline of 7 per cent over the preceding year.

Our exports are increasing and our imports are decreasing. If we enact legislation to prevent imports from Italy, we will soon find our market there narrowing and shrinking—to the disadvantage of the American farmer and manufacturer. It is well to remember that our exports to Italy have been increasing—and it is certain that if a wise policy is adopted the trade between the two countries will increase.

Let us look at some of the exports to Italy. We exported to Italy in 1928 more than \$1,561,000 worth of bacon and three and one-half million dollars' worth of lard. The farmers of the United States are benefited by finding a market in Italy for their surplus lard and bacon. We are spending millions annually through the Department of Commerce and in building up our merchant marine to extend our foreign trade and to find markets for our agricultural products. Foreign markets are needed by American farmers, and they can be had if the United States acts wisely in its tariff and other policies.

Permit me to submit additional export figures for 1928. The farmers are interested in exports of grain. We exported to Italy more than \$9,000,000 worth of wheat and other grains, and in 1927 our grain exports were valued at sixteen and one-half million dollars.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. SHORTRIDGE. I would like to follow the argument of the Senator, and therefore I ask him, does he argue or contend that the increasing of the tariff on olive oil will have any effect whatever on the export of wheat to Italy? Is that the argument?

Mr. KING. Of course, it will. Italy can not buy our wheat and other products unless we take from her some of her surplus products. She pays for wheat with olive oil, and we taxed this oil \$6,000,000 in 1928, thus adding to its cost and to the burdens of American purchasers. The mercantile theory is obsolete. Nations do not pay in gold for their imports. International trade is vital to national prosperity. The Senator knows that prohibitive tariffs may be laid. If so, exports fall away and imports cease. A few days ago I called attention to page after page of American products where the exports were negligible, many commodities being embargoed and hundreds limited to less than 1 per cent of domestic consumption. It is certain that if we refuse to trade with others they will refuse to trade with us. If our tariff rates become so high that Canada can not trade with us, the billion dollars' worth of products purchased from us will be obtained, in part at least, in other coun-

tries. We may drive the British Dominions, by a hostile commercial policy, into an economic federation that will be highly disadvantageous to the United States.

Great Britain is our second largest foreign market, her purchases amounting to more than \$800,000,000 worth of American products. There are evidences that some Republican Senators, including the able junior Senator from California [Mr. SHOWER], are intent upon destroying our trade with foreign nations. Are they trying to punish the farmers who are among our chief exporters?

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. WALSH of Massachusetts. In relation to the question propounded to the Senator from Utah by the Senator from California, I want to call attention to an exclusive interview with Mussolini published in the Sunday American, of Atlanta, Ga., on August 21. I shall not take the time to read the interview, but it is headed as follows:

Increases to react against prosperity of America, says Mussolini. Proposed barriers will cut down world market for United States goods.

That is a statement from Mussolini himself confirming what the Senator has said.

Mr. KING. Mr. President, when the able Senator from California asked permission to interrupt me, I was presenting some figures showing our exports to Italy.

The value of our grain exports in 1927 was \$16,270,000; for 1928, \$9,000,000; for 1926, \$12,000,000; automobile tire casings in 1928 more than \$1,000,000. My recollection is, though I am not an expert on casings, that cotton cloth in some form is used in the manufacture of tire casings.

It may be interesting to some of my friends from the South, where tobacco is produced, when they are reminded that our exports of tobacco leaf amounted to more than \$400,000 for the year mentioned. Our exports of unmanufactured cotton amounted to \$78,836,000.

I invite the attention of my brethren from the South, where cotton is produced, to the fact that Italy is increasing her purchases of raw and manufactured cotton, and that in 1928 her purchases amounted to the sum of \$78,836,000, the year before that only \$60,000,000, and in 1914 only \$31,000,000. We can not afford to cut off this market; in so doing a grievous harm would result to thousands of American agriculturists.

It is proposed that we tax Americans \$6,000,000 annually on olive oil, or prohibit them from using it, by imposing tariff duties so high as to prevent importations; and it is evident that in so doing the American farmer will be injured and California not materially benefited.

We are exporting to Italy \$1,000,000 worth of coal, \$6,326,000 worth of gasoline and naphtha, \$508,000 worth of illuminating oil, \$635,000 of gas and fuel oil, \$5,143,000 of lubricating oil, \$2,140,000 of paraffin products, and \$2,054,000 of automobiles.

Automobiles furnish employment to American workmen, and automobiles consume cotton one way or another, in the production of seat cushions, tire casings, and other articles incident to their perfected condition.

Repeating, we are exporting \$165,000,000 worth of our products and importing from Italy commodities of the value only of \$108,000,000.

Let me call attention very briefly to some of our exports. I read from the Statistical Abstract for 1928, and it bears directly upon the schedules which are now before us.

Our exports of animals and animal products in 1927 were \$136,000,000; animal edible products, \$21,000,000; meat, \$19,000,000; dairy products, \$37,000,000. I invite the attention of my friends who claim to be speaking for the farmer to the fact that we exported, in 1927, dairy products to the extent of \$37,000,000; fish, \$35,400,000; animal oils and fats and edibles, \$1,200,000; other edible animal fats, \$22,000,000.

While seeking to interdict the importation of a few edible fats we are exporting \$22,300,000 worth. Some additional exports are hides and skins, raw, except furs, \$112,000,000; leather \$32,000,000; animal oils, fats, and greases, inedible, \$8,800,000; other inedible animals and animal products, \$29,000,000. We are trying to keep out a few inedible oils and fats, and yet we are exporting millions and hundreds of millions of dollars' worth of similar commodities.

Exports of grains and preparations amounted to \$23,000,000; fodders and feeds, \$11,000,000; vegetables and preparations, \$38,000,000; vegetable oils and fats, edible, \$84,000,000. I shall not go farther down the list of exports for 1928—amounting to more than \$5,000,000,000.

I protest against this determination on the part of some Senators and some groups in the United States, particularly the in-

dustrial groups, to cut off our trade with foreign nations and to make this Nation one of complete isolation.

Mr. EDGE. Mr. President, I want to suggest to the Senator from Maryland [Mr. GOLDSBOROUGH] a modification of his proposed amendment. As I understand the amendment of the Senator from Maryland, it calls for a revision of the rate of 7½ cents per pound on contents and containers, speaking of olive oil, to 10½ cents. Is that correct?

Mr. GOLDSBOROUGH. That is correct.

Mr. EDGE. Leaving "olive oil not specially provided for" as it is in the bill—6½ cents per pound?

Mr. GOLDSBOROUGH. That is right.

Mr. EDGE. That makes a differential, as I understand the method of computing it, of practically 4 cents. My understanding, in discussing this matter with some of the importers, packers, and others, is that a 3-cent differential would actually meet the difference in cost. I am wondering if the Senator would not reduce his amendment from 10½ cents to 9½ cents?

Mr. GOLDSBOROUGH. Very well; I accept the suggestion of the Senator from New Jersey.

The VICE PRESIDENT. The Senator from Maryland modifies his amendment.

Mr. WALSH of Massachusetts. Let the amendment be re-reported as modified.

The VICE PRESIDENT. The amendment as modified will be reported.

The CHIEF CLERK. On page 24, line 14, the Senator from Maryland proposes to strike out "7½ cents" and insert in lieu thereof "9½ cents," so as to read:

Olive, weighing with the immediate container less than 40 pounds, 9½ cents per pound on contents and containers.

Mr. COPELAND. Mr. President, I doubt if the United States has a friend in the family of nations. We seem determined to do everything we can to alienate the affection and the friendship of other peoples.

I was much interested in what the junior Senator from Utah [Mr. KING] said about the exports and the imports of Italy. When the Italian debt settlement was before the Senate in March, 1926, I pointed out a very few of the items which Italy purchased from us. Among other items I found \$1,000,000 worth of meat, giving just the round numbers; \$26,000,000 worth of wheat; \$4,000,000 worth of lard; \$1,500,000 of kerosene oil; nearly \$2,000,000 of gasoline; nearly \$6,000,000 of lubricating oil; \$1,000,000 of tin plate; \$1,500,000 of zinc; \$18,000,000 of copper; \$4,500,000 of motor trucks and autos; \$1,000,000 of southern pine; nearly \$3,000,000 of tobacco; \$91,500,000 of cotton.

Those are products which Italy purchased from us, representing a total of more than \$200,000,000.

In our turn we bought from her only about \$100,000,000. As the junior Senator from Utah pointed out, how can we hope to have good feeling on the part of a nation when we propose to cut off, as we will here if this amendment were actually to take effect as desired, \$10,000,000, or one-tenth of the imports from Italy? They would be lost.

Mr. President, in the life of a people there are food practices almost as compelling as religious practices. As a matter of fact, the food practices and religious practices of many people coincide. We find our Jewish friends who are not satisfied to take any sort of food except the so-called kosher food. We find the Germans, the Dutch, the French, and the Swiss demanding cheese. That is a part of their national diet. So, too, we have a demand for olive oil not alone from the Italians—that has been brought out very strongly—but on the part of the Spanish, the French, and the Greeks. The Italians, the French, the Spanish, and the Greeks make the same use of olive oil that we make of butter. The French, Italian, Spanish, and Greek housewife uses olive oil where the American and British housewife would use butter.

By the adoption of the amendment proposed by the Senator from Maryland [Mr. GOLDSBOROUGH], if we were really to exclude olive oil, I have no doubt that the sale of butter in this country would increase, but that is not what will actually happen. The consumption of olive oil, because of the habits of the Italian, the Spanish, the Greek, and the French people, will continue as it does at present. What we would be doing would be placing a tax upon a very large percentage of our people, transplanted here from European lands. I contend earnestly that that is unfair and unjust and nothing would be accomplished by it in the way of farm relief.

There is another similar product, corn oil, which might be used in very much greater quantity in this country if we could get the Department of Agriculture to permit the free use of corn sugar where it is suitable in the preservation of food.

But the Agricultural Department insists that the label shall carry a statement of the fact that corn sugar is used. Consequently those who can and preserve fruits and vegetables will not make use of corn sugar. By the very simple act of an executive order on the part of the Secretary of Agriculture the consumption of corn sugar in this country could be tremendously increased with a corresponding demand for American corn. If its use were permitted then there would be a reason for increasing the production of corn oil. But there has been an utter failure of every effort on the part of those interested to get the Department of Agriculture to take this view as regards corn sugar, which would be of material advantage to the American farmer.

But knowing, as I do, the habits of the Italian, the Spanish, the Greek, and the French people, and their descendants in America, I can state they will not make use of any American product as a substitute for olive oil. So, as I previously stated, we shall be simply imposing a tax upon them. Therefore I think it is utterly unfair and unreasonable and simply a slap in the face of nations with whom we desire to be on friendly terms if we adopt this provision. I trust that the Senate will not give favorable consideration to the amendment submitted by the Senator from Maryland [Mr. GOLDSBOROUGH].

Mr. WAGNER. Mr. President, I withdraw the amendment which I originally offered, and now offer an amendment to the amendment offered by the Senator from Maryland, the amendment being to reduce the duty.

The VICE PRESIDENT. Will the Senator send his amendment to the amendment to the desk?

Mr. WAGNER. I have not the amendment to the amendment written out, but I can state it. I move to reduce the duty from 9½ cents to 6 cents, so as to make the duty 6 cents per pound.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New York to the amendment of the Senator from Maryland.

Mr. WAGNER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Fess	Kean	Shortridge
Ashurst	Fletcher	Kendrick	Simmons
Barkley	Frazier	King	Smith
Bingham	George	La Follette	Smoot
Black	Gillett	McKellar	Steck
Blaine	Glenn	McMaster	Stelwer
Blease	Goff	McNary	Swanson
Borah	Goldsborough	Moses	Thomas, Idaho
Bratton	Gould	Norbeck	Thomas, Okla.
Brock	Greene	Norris	Trammell
Brookhart	Hale	Nye	Tydings
Broussard	Harris	Oddie	Vandenberg
Capper	Harrison	Overman	Wagner
Caraway	Hastings	Patterson	Walcott
Connally	Hatfield	Phipps	Walsh, Mass.
Copeland	Hawes	Pine	Walsh, Mont.
Couzens	Hayden	Pittman	Warren
Cutting	Hebert	Ransdell	Waterman
Dale	Heflin	Robinson, Ind.	Wheeler
Deneen	Howell	Sackett	
Dill	Johnson	Schall	
Edge	Jones	Sheppard	

The VICE PRESIDENT. Eighty-five Senators having answered to their names, a quorum is present.

Mr. SHORTTRIDGE. Mr. President, I will detain the Senate but a few moments and, so far as I am concerned, the question may then be brought to a vote.

With the utmost respect for those who have expressed themselves, I am inclined to think, Mr. President, that if Macaulay's New Zealand traveler had been sitting in the gallery this afternoon he would have concluded that we were legislating for Italy rather than for the United States, and I myself have sometimes thought that it might be imagined we were legislating for Germany instead of for the United States.

The question now before the Senate is a very simple one. I observed a few moments ago, when the learned Senator from New York was expressing himself, that tariffs might be levied for purposes of revenue only.

I recall having listened in days gone by to many persuasive if not very convincing addresses by gentlemen whom I respected who argued in favor of a "tariff for revenue only," with "incidental protection." That doctrine is now somewhat discredited, if not abandoned. So the figures which the learned Senator cited to the effect that we had collected a certain number of millions of dollars as tariff duties on olive oil does not militate against the doctrine of protection at all. That revenue helped to carry on the Government.

In point of truth, it costs some \$4,000,000,000 annually to carry on this Government, and it may be wise to turn to tariff legislation as a source of revenue to defray the expenses of the

Government. We do not produce diamonds in the United States, but we place a duty on them for revenue purposes.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Kentucky?

Mr. SHORTTRIDGE. Yes; I yield.

Mr. BARKLEY. In view of the surplus in the Treasury, which will probably bring about a reduction in internal-revenue taxes at the end of the fiscal year, does the Senator from California seriously contend that the tariff tax in this instance is needed as a matter of revenue?

Mr. SHORTTRIDGE. Oh, no; not at all. I was making a general observation as to tariffs which may be levied avowedly for no other purpose than the raising of revenue.

Mr. BARKLEY. Of course, in such case the tax would be levied only in the event that the revenues were not sufficient to meet the requirements of the Government, would it not?

Mr. SHORTTRIDGE. No, not necessarily. Let me add that if we should raise a greater sum by way of customs revenues it would enable us to reduce income and other taxes of the people.

We must have so much money to carry on the Government. So much is raised from tariff duties. In 1928 we raised over \$602,000,000, and from other sources we raised the balance needed.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield further to the Senator from Kentucky?

Mr. SHORTTRIDGE. I had intended to detain the Senate for only a few moments, but I yield to the Senator.

Mr. BARKLEY. If our consumption is in the neighborhood of 50,000,000 pounds and we produce but one-fiftieth of that, or a little more, so that forty-nine fiftieths of our necessities are to be taxed, what is the real benefit of adding to the tax which the people who consume this particular article must pay, and reducing it on some other form of taxation, assuming that the same amount of revenue is involved?

Mr. SHORTTRIDGE. Mr. President, my colleague very clearly stated the merits of the question before us. The cost of production in Italian and other southeastern European countries is known to the Senate; the cost of production in California and Arizona is likewise known. It is true that in California and Arizona we have not greatly increased the acreage during the last three or four years. In 1922 approximately 24,000 acres in California were planted to olives, and approximately 10,000 acres planted to olives in Arizona, making between thirty-three and thirty-four thousand acres in all; but the gratifying fact may be called to the attention of the Senate that in those two States and in the great States to the east—New Mexico and Texas—there are hundreds of thousands of acres of fertile land which may be devoted to the planting and cultivation of olive trees. It is estimated that available lands in the Southwest, highly suited to olive culture, amount to more than 500,000 acres.

It is true that the industry at this stage is small as compared to that of Europe. It takes from 8 to 10 years for an olive tree to reach bearing maturity; but, as learned Senators know, it is the oldest living fruit tree known to man. There are olive trees growing in Europe that have been bearing fruit for close on to a thousand years. Therefore, when we plant and develop an olive orchard it may be said to be a permanent investment, and develop into a permanent and useful American industry.

I need not quote from the great men of the early days of the Republic, when they were striving to develop our industries. Many of our industries were once infant, now grown great. This olive industry may be so termed. It may be an infant now, but it can become great, giving employment to American men and women and children, and being beneficial from every point of view.

So, as my colleague [Mr. JOHNSON] pointed out, if we have advanced slowly it may well be due to the fact of the intense competition we have had to meet; it is also due to the fact that the growth to bearing maturity of an olive tree is slow; but in time we can and if given adequate protection I prophesy we shall be able to vastly increase our acreage and production and supply the American consuming market. The simple fact is we have not had adequate protection.

In support of my theory of tariff protection I might cite one who was once called a Republican. In reading the other night the history of Mississippi I happened to come across a very eloquent passage where the author spoke of "that great Republican, Thomas Jefferson." He was a Republican. He believed in this Republic. He was the champion of freedom, and he was the advocate of a genuine, thorough, 100 per cent protective-tariff doctrine. If I were disposed to do so, if I thought it would

serve a good purpose, I could read to the Senate the words of Thomas Jefferson in which he urged in effect a tariff which to-day would be called absolutely prohibitive; and he urged such tariff rates, in his own splendid way, if necessary and in order to develop an American industry and produce that which Americans consume.

Mr. President, I am not advancing any new or strange doctrine; I am urging upon the Senate this day that we translate into law a theory or doctrine that has built up our industries and made us the richest Nation on earth. I am not asking help for California alone; I am asking help for Arizona; I am asking help for the great State of Texas, which already is rivaling California in the production of figs, and can raise as fine olives as Italy.

Mr. WAGNER. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from New York?

Mr. SHORTRIDGE. Yes.

Mr. WAGNER. I should like to remind the Senator that the same prediction which he now makes as to the salutary effect of a protective tariff on the olive industry was made by the Senator in 1922, when the tariff duty was raised; and yet during that whole period of time, though seven years have elapsed, instead of the acreage increasing so as substantially to supply our demands, it has actually decreased by 500 acres.

Mr. SHORTRIDGE. I heard the Senator make that statement a moment ago. The Senator has told the source of his information. I remark, however, that those figures deal with bearing rather than planted olive trees. There has been an increase in the planting in Arizona—if the Senators from that State were here, I am sure they would sustain me—but there has not been an extensive increase in the bearing, and for reasons which have been here pointed out—the slow growth of the trees. But the protection given us in 1922 never was adequate, hence our appeal to-day.

Now, grant that this is an infant industry. We have the soil; we have the climate; we have the people. God has given us all these things, and we can develop this great agricultural-horticultural industry.

It is argued that an increase of the tariff will add somewhat to the price of your olive oil. Be it so. The same argument could be used against the vigilant champions of Florida, where their grapefruit and their pineapples need protection. Both of those learned Senators stand up for the industries of their State, as the brilliant Senators from Arkansas stand up for the rice industry in theirs. I hope that, as in 1922, they will join me in asking an increase in the tariff on rice. I repeat, sir, that the two Senators from Florida urge, rightly urge, adequate protection on grapefruit and on pineapples. I think also they have wisely and rightly urged an increase of the duty on avocados. They may be told: "Florida can not compete with Cuba in the raising of pineapples or grapefruit or avocados. Florida produces only a small percentage of the pineapples, the grapefruit, the avocados consumed in the United States. Why do you ask for tariff protection?" Those learned Senators will reply: "Be it so, but why is it so? Because of the price of our land, our taxes, our schools, our churches, our labor cost we can not compete with Cuba. Therefore we ask for adequate tariff protection." And I propose to give Florida that protection.

With unfeigned respect for my friend from New York, representing that imperial city and State, I say to him that for like reasons we can not compete with Italy; and those reasons are self-evident and self-justifying.

If we, therefore, are protective-tariff men; if we believe in levying duties for the purpose of raising revenue, which is the basis of our authority, and also to encourage legitimate, useful American labor and industries; then let us apply the doctrine, and not be afraid to apply it. I wish to apply it in regard to long-staple cotton, for example, not because we raise it in California; it is raised in Mississippi, in Texas, in Arizona. Why do I want a tariff, for example, on rice? Not because it is raised in California; for it is raised in the great State of Louisiana and in Arkansas and in certain other of the Southern States; because I want to legislate for America.

I think the fathers were right. I remember that the great man whose name I mentioned a moment ago favored, with Washington, the first tariff bill that was passed and continued in force, with increased rates, until Jefferson came in, and during his whole administration, and on through the administrations of Madison and Monroe. I favor the tariff doctrine they favored as Henry Clay favored it, as Andrew Jackson favored it, who stood in the Senate and gave advice to the South; I propose to quote his words in a day or two, when we take up the subject of cotton. I have not forgotten that he advised the people he loved to put their cotton mills alongside the cotton fields, so that

they and not New England or Liverpool would be manufacturing their staple product.

I apply this doctrine of a protective tariff for revenue purposes and for the protection of American industry, whether it be in Maine or in Georgia, in the State of Washington or in the State of Florida, and I would apply it now to this question of a tariff on olive oil.

If you believe in this doctrine, if you believe in the theory, let us apply it. We have the men and the women and the brains and the acreage. We can develop this great industry, which will last until all our names, perhaps, shall have been forgotten, for that tree which grew a thousand years ago in Europe is still bearing its fruit. I seek to help my own State and every State in the Union. While I have mentioned California and Arizona and Texas, there are other States in the Union whose soil and climatic conditions are such as to make it profitable to engage in the cultivation and the planting and the raising of the olive tree. All that is needed is to make it profitable, and we can make it profitable by adequate tariff protection and encouragement.

Mr. HEFLIN. Mr. President, what is the parliamentary status of these amendments? Which amendment is to be voted on first?

The VICE PRESIDENT. The question now is on the amendment proposed by the Senator from New York [Mr. WAGNER] to the amendment proposed by the Senator from Maryland [Mr. GOLDSBOROUGH].

Mr. HEFLIN. And the rate proposed by the Senator from Maryland is 9½ cents?

The VICE PRESIDENT. Nine and a half cents; and the rate proposed by the Senator from New York is 6 cents.

Mr. WAGNER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. McKELLAR (when his name was called). On this question I am paired with the junior Senator from Delaware [Mr. TOWNSEND]. I transfer that pair to my colleague [Mr. BROCK], and will vote. I vote "nay."

Mr. ROBINSON of Indiana (when his name was called). I have a pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence, not knowing how he would vote, I withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. BURTON]. I transfer that pair to the senior Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. TYDINGS (when his name was called). On this vote I have a pair with the senior Senator from Rhode Island [Mr. METCALF], who is ill. If he were present, I understand he would vote as I shall vote. I therefore vote. I vote "nay."

The roll call concluded.

Mr. SMITH. I have a general pair with the senior Senator from Indiana [Mr. WATSON]. In his absence I withhold my vote.

Mr. BINGHAM. I have a general pair with the junior Senator from Virginia [Mr. GLASS]. I transfer that pair to the senior Senator from Rhode Island [Mr. METCALF] and vote "nay."

Mr. SCHALL. I desire to announce that my colleague [Mr. SHIPSTEAD] is ill.

Mr. KING (after having voted in the affirmative). I am paired with the junior Senator from New Hampshire [Mr. KEYES]. I am unable to secure a transfer and am compelled to withdraw my vote.

Mr. COPELAND. The senior Senator from New Mexico [Mr. BRATTON] is necessarily absent from the Senate. He is paired with the Senator from Pennsylvania [Mr. REED].

Mr. FESS. I desire to announce the absence of the Senator from Pennsylvania [Mr. REED] on official business.

Mr. SHEPPARD. I desire to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Montana [Mr. WHEELER] are necessarily detained on official business.

The result was announced—yeas 8, nays 67, as follows:

YEAS—8			
Blaine	Copeland	Pittman	Walsh, Mass.
Blease	Glenn	Wagner	Walsh, Mont.
NAYS—67			
Allen	Connally	Frazier	Hastings
Barkley	Couzens	George	Hatfield
Bingham	Cutting	Gillett	Hawes
Black	Dale	Goff	Hebert
Borah	Deneen	Goldsborough	Heflin
Brookhart	Dill	Greene	Howell
Broussard	Edge	Hale	Johnson
Capper	Fess	Harris	Jones
Caraway	Fletcher	Harrison	Kean

Kendrick	Oddie	Sheppard	Thomas, Okla.
La Follette	Overman	Shortridge	Trammell
McKellar	Patterson	Simmons	Tydings
McMaster	Phipps	Smoot	Vandenberg
McNary	Pine	Steck	Walcott
Moses	Ransdell	Steiwer	Warren
Norbeck	Sackett	Swanson	Waterman
Nye	Schall	Thomas, Idaho	

NOT VOTING—20

Ashurst	Gould	Norris	Smith
Bratton	Hayden	Reed	Stephens
Brock	Keyes	Robinson, Ark.	Townsend
Burton	King	Robinson, Ind.	Watson
Glass	Metcalf	Shipstead	Wheeler

So Mr. WAGNER's amendment to the amendment was rejected.

Mr. SMOOT. Mr. President, on further examination into the amendment to strike out the duty of 8½ cents provided by the House and to insert 7½ cents, as recommended by the Senate Finance Committee, I am convinced that the spread between 6½ and 7½ cents is not sufficient. The bulk olive oil carries a rate of 6½ cents a pound. When the oil is put into containers, into bottles, and small cans, the differential given by the Senate Finance Committee is only 1 cent a pound. I think the House was correct in making it 2 cents, and providing a rate of 8½ cents, and as far as I am personally concerned I think the rate should be made 8½ cents, and that the Senate committee amendment, therefore, should be rejected.

Mr. WALSH of Massachusetts. Mr. President, I agree with the Senator from Utah that there should be a correction in the spread between the rate on olive oil in containers and olive oil not in containers. I disagree with the Senator in seeking to increase the rate which the Senate committee reported on olive oil in containers from 7½ to 8½ cents. It seems to me we should retain the rate recommended by the committee after study and investigation, and if any change is desirable, let us reduce the rate of 6½ cents per pound on olive oil in bulk.

Mr. SMOOT. Six and a half cents is the rate in the present law on olive oil in bulk, and I am positive that there ought to be a 2-cent differential. If there is to be any change made, of course, the proper method to pursue would be to change the rate on the olive oil in bulk.

Mr. WALSH of Massachusetts. Nothing can be done at this stage in the way of offering an individual amendment, but later on I shall present the amendment to which I have referred.

Mr. BORAH. The amendment of the Senator from Maryland is to make the rate 10½ cents?

The VICE PRESIDENT. The amendment offered by the Senator from Maryland [Mr. GOLDSBOROUGH], as modified, would make the rate 9½ cents.

Mr. WALSH of Montana. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. McKELLAR (when his name was called). On this vote I am paired with the junior Senator from Delaware [Mr. TOWNSEND]. I transfer that pair to my colleague [Mr. BROCK] and vote "yea."

Mr. ROBINSON of Indiana (when his name was called). I have a pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence, not knowing how he would vote, I withhold my vote.

Mr. SIMMONS (when his name was called). I transfer my pair with the junior Senator from Ohio [Mr. BURTON] to the senior Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. SMITH (when his name was called). Announcing my pair as before, I withhold my vote.

Mr. TYDINGS (when his name was called). On this vote I have a pair with the senior Senator from Rhode Island [Mr. METCALF], who is ill. I transfer that pair to the junior Senator from Montana [Mr. WHEELER] and vote. I vote "nay."

The roll call was concluded.

Mr. SHEPPARD. I wish to announce that the Senator from Arkansas [Mr. ROBINSON], the Senator from Arizona [Mr. ASHURST], and the Senator from Montana [Mr. WHEELER] are necessarily detained on official business.

Mr. KING (after having voted in the negative). I have a pair with the junior Senator from New Hampshire [Mr. KEYES]. I transfer that pair to the senior Senator from Arizona [Mr. ASHURST] and permit my vote to stand.

Mr. BINGHAM. I have a general pair with the junior Senator from Virginia [Mr. GLASS]. Not knowing how he would vote, and being unable to obtain a transfer, I withhold my vote. Were I permitted to vote, I should vote "nay."

Mr. COPELAND. I desire to announce that the senior Senator from New Mexico [Mr. BRATTON] is unavoidably detained from the Senate. He is paired with the Senator from Pennsylvania [Mr. REED].

Mr. JONES. I desire to announce that the Senator from Pennsylvania [Mr. REED] is necessarily detained on official business.

The result was announced—yeas 43 and nays 34, as follows:

YEAS—43

Allen	Goff	Kean	Pine
Borah	Goldsborough	Kendrick	Schall
Brookhart	Greene	McKellar	Sheppard
Broussard	Harris	McMaster	Shortridge
Capper	Hastings	McNary	Steiwer
Dale	Hatfield	Moses	Thomas, Idaho
Deneen	Hebert	Norbeck	Thomas, Okla.
Edge	Heflin	Nye	Walcott
Fletcher	Howell	Oddie	Warren
Frazier	Johnson	Patterson	Waterman
Gillett	Jones	Phipps	

NAYS—34

Barkley	Dill	La Follette	Swanson
Black	Fess	Norris	Trammell
Blaine	George	Overman	Tydings
Blaise	Glenn	Pittman	Vandenberg
Caraway	Hale	Ransdell	Wagner
Connally	Harrison	Sackett	Walsh, Mass.
Copeland	Hawes	Simmons	Walsh, Mont.
Couzens	Hayden	Smoot	
Cutting	King	Steck	

NOT VOTING—18

Ashurst	Glass	Robinson, Ark.	Townsend
Bingham	Gould	Robinson, Ind.	Watson
Bratton	Keyes	Shipstead	Wheeler
Brock	Metcalf	Smith	
Burton	Reed	Stephens	

So Mr. GOLDSBOROUGH's amendment to the amendment was agreed to.

Mr. KING. Mr. President, I give notice that upon the amendment just agreed to I shall ask for a separate vote in the Senate.

The VICE PRESIDENT. The question now is upon agreeing to the Senate committee amendment as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The next amendment was, on page 24, line 23, after the word "oil," to strike out "5 cents per pound" and insert "2½ cents per pound, but not less than 45 per cent ad valorem," so as to make the paragraph read:

PAR. 55. Coconut oil, 2 cents per pound; cottonseed oil, 3 cents per pound; peanut oil, 4 cents per pound; palm-kernel oil, 1 cent per pound; sesame oil, 3 cents per pound; and soybean oil, 2½ cents per pound, but not less than 45 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 25, line 9, before the words "per pound," to strike out "4 cents" and insert "3 cents," so as to make the paragraph read:

PAR. 57. Hydrogenated or hardened oils and fats, 3 cents per pound; other oils and fats, the composition and properties of which have been changed by vulcanizing, oxidizing, chlorinating, nitrating, or any other chemical process, and not specially provided for, 20 per cent ad valorem.

The amendment was agreed to.

The next amendment was on page 26, line 20, where the committee propose to strike out "vanillin."

Mr. KING. I understand the purpose of the committee is to transfer vanillin from paragraph 61 to paragraph 27 or paragraph 28.

Mr. SMOOT. Yes; it is to go over into paragraph 28 under American valuation.

Mr. KING. The purpose is to double the duty. In view of the fact that that will involve some debate I suggest that the amendment go over.

Mr. SMOOT. The Treasury Department has already made a ruling in relation to this matter. It has been classified under paragraph 28 for two or three years at least, under a ruling of the Treasury Department, and we are now putting it in this bill just where it has been as acted upon by the Treasury Department and giving it the rate of duty proposed under the American valuation.

Mr. KING. I am aware of the action stated by my colleague, but I wholly disagree with the action of the Treasury Department. I ask that the amendment be passed over for the present.

The PRESIDING OFFICER (Mr. Fess in the chair). At the request of the junior Senator from Utah the amendment will be passed over.

Mr. THOMAS of Idaho. Mr. President, returning for a moment to paragraph 57, page 25, line 8, the amendment just agreed to, "hydrogenated or hardened oils and fats, 3 cents per pound," in the different set-up of the amendments involving substitutes for oils and fats that schedule may be materially changed.

Mr. SMOOT. That may be done.

Mr. THOMAS of Idaho. What shape will we be in with reference to the amendment to which I have just referred?

Mr. SMOOT. Just the same as with reference to the amendments which have been adopted in paragraphs 54 and 55. As soon as we get through with the committee amendments the

Senator may offer his substitute for paragraphs 54 and 55 and the particular item referred to in paragraph 57.

Mr. THOMAS of Idaho. The acceptance of the amendment at this time will not invalidate my substitute?

Mr. KING. Not at all. The Senator may offer it when we have concluded the committee amendments.

Mr. HARRISON. Mr. President, may I ask the Senator from Utah a question?

Mr. SMOOT. Certainly.

Mr. HARRISON. Is it the policy of the majority members of the Finance Committee, whenever an increase is made, to leave the Senator from Utah all alone when the vote takes place?

Mr. SMOOT. Every Senator has the right to vote just as he sees fit.

Mr. HARRISON. I noticed on the last roll call that only one other member of the committee stood with the Senator from Utah.

Mr. SMOOT. Senators have that right.

Mr. HARRISON. Then they are doing it with the permission of the Senator from Utah?

Mr. SMOOT. I could not prevent it if I wanted to do so.

Mr. SIMMONS. Mr. President, am I to understand that paragraphs 54 and 55 go over until to-morrow?

Mr. SMOOT. No; the amendments in those paragraphs have already been agreed to, but the junior Senator from Idaho [Mr. THOMAS] has presented an amendment to strike out those paragraphs and to insert new language and new rates.

Mr. SIMMONS. I understand that the amendments were agreed to. It was done so quietly, however, that it escaped my attention although I was sitting right here at my desk. I do not object, because the question can be reopened if desired.

Mr. SMOOT. We were discussing one of the amendments for an hour and a half.

Mr. SIMMONS. Oh, I know we were. To make myself clear to the Senator, I understand the Senator from Idaho [Mr. THOMAS] has a substitute for the two paragraphs which he proposes later to submit.

Mr. SMOOT. He has.

Mr. SIMMONS. Will the Senator agree that that substitute may be submitted to-morrow and voted upon, or does he insist that we wait until we get through with all the committee amendments?

Mr. SMOOT. I say to the Senate now that whenever the committee amendments are agreed to upon any schedule, I want that schedule then to be open to individual amendments so we may clean up the schedule. I have twice asked for unanimous consent to carry out that plan, and it has been refused. I am going to ask to-morrow, or to-day if we get through with this particular schedule, that individual amendments shall be considered to the schedule and that we shall complete the schedule and then take up Schedule 2.

Mr. SIMMONS. I am in sympathy with the desire and purpose of the chairman of the Finance Committee, but the question I was asking is whether he proposes that the two paragraphs shall go over now, the committee amendment having been adopted, and that the substitute submitted by the Senator from Idaho will not be in order until we finish with the committee amendments.

Mr. SMOOT. It will not be in order until we have finished with the committee amendments, and there are very few of them left.

Mr. SIMMONS. Very well.

Mr. SMOOT. Does my colleague want to have the amendment on page 26, line 20, with reference to vanillin, go over?

Mr. KING. Yes.

Mr. HARRISON. Mr. President, I notice that eucalyptus was put on the free list.

Mr. SMOOT. It was.

Mr. HARRISON. How did the committee ever manage to take a California product from the dutiable list and put it on the free list?

Mr. SMOOT. All I can say in answer to the Senator from Mississippi is that we thought it ought to go to the free list.

Mr. HARRISON. Did all the majority members of the committee agree that this product should be put on the free list?

Mr. SMOOT. I have not the vote here, so I can not answer the Senator's question.

The PRESIDING OFFICER. The junior Senator from Utah [Mr. KING] asks that the amendment on page 26, line 20, where the committee proposes to strike out the word "vanillin," shall go over.

Mr. SMOOT. Let it go over.

The PRESIDING OFFICER. The amendment will be passed over. The next amendment will be stated.

The next amendment was, on page 29, line 16, after the word "ultramarine," to insert "if valued at more than 10 cents per pound, 4 cents per pound; if valued at 10 cents per pound or less," so as to make the paragraph read:

PAR. 69. Blue pigments and all blues containing iron ferrocyanide or iron ferricyanide, in pulp, dry, or ground in or mixed with oil or water, 8 cents per pound; ultramarine blue, dry, in pulp, or ground in or mixed with oil or water, wash and all other blues containing ultramarine, if valued at more than 10 cents per pound, 4 cents per pound; if valued at 10 cents per pound or less, 3 cents per pound.

REFERENCE OF AIRCRAFT BILLS

Mr. BINGHAM. Mr. President, a few days ago I introduced an amendment to the aircraft act in the form of the bill (S. 1947) to provide for the investigation of accidents in civil air navigation, providing that the Secretary of Commerce should have full authority in the investigation of accidents in civil air navigation. At that time the Senator from New Mexico [Mr. BRATTON] asked that the measure proposed by me should lie on the table so that he might investigate it. He has to-day very kindly said to me that he does not wish it to lie on the table any longer. So I ask unanimous consent that the bill may be taken from the table and referred to the Committee on Commerce.

I further ask unanimous consent that the bill (S. 1880) to regulate interstate and foreign air commerce, which is lying on the table at the request of the Senator from Washington [Mr. JONES], may be taken from the table and referred to the Committee on Interstate Commerce. I understand that is agreed to by the chairman of the Committee on Commerce.

Mr. JONES obtained the floor.

Mr. McKELLAR. Mr. President, I want to ask something about the bills that are going to the Interstate Commerce Committee.

The PRESIDING OFFICER. The Senator from Washington has the floor.

Mr. JONES. Mr. President, I have no objection to the reference of the bill to the Committee on Interstate Commerce. I am inclined to think that it would be wiser to refer it to the Committee on Commerce, which has been dealing with aviation matters for 8 or 10 years, but it is so framed as to deal with interstate commerce. I simply want to express the hope, however, that the Committee on Interstate Commerce will not include the particular matters in the bill which have been and are being dealt with especially by the Department of Commerce and which have been especially dealt with by the Committee on Commerce.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

Mr. McKELLAR. Mr. President, I understand this is merely a reference to the committee?

Mr. BINGHAM. That is all.

Mr. McKELLAR. Why has the Interstate Commerce Committee been singled out at this time to consider these bills when heretofore such bills have been referred to the Committee on Commerce? For instance, just a day or two ago we had a resolution relating to aircraft which went to the Commerce Committee. We have a very satisfactory adjustment, so far as the committee is concerned. The resolution to which I have just referred was adopted, but we have had nothing in reply from the Department of Commerce. I understand the department is behind the bill in question, but I am unwilling to agree to the request until we hear from the Department of Commerce about the resolution which has already been adopted. Therefore I object.

Mr. JONES. Mr. President, may I suggest to the Senator from Tennessee that the bill introduced by the Senator from Connecticut—

The PRESIDING OFFICER. Does the Senator from Tennessee withdraw his objection?

Mr. McKELLAR. I will for the moment, in order to hear what the Senator from Washington has to say.

Mr. JONES. The bill introduced by the Senator from Connecticut deals especially with matters covered by the resolution acted upon by the committee the other day, and it goes to the Committee on Commerce. The bill introduced by the Senator from New Mexico [Mr. BRATTON] deals with rates to be charged on the transportation of merchandise in interstate commerce and matters of like nature, which I think very properly should go to the Interstate Commerce Committee.

Mr. McKELLAR. The two bills do not go to the same committee?

Mr. JONES. Oh, no.

Mr. McKELLAR. But the bill of the Senator from Connecticut [Mr. BINGHAM] goes to the Committee on Commerce?

Mr. JONES. That is correct.

Mr. McKELLAR. I have no objection then.

The PRESIDING OFFICER. Without objection, the request of the Senator from Connecticut is granted.

Mr. McKELLAR. May I ask a question of the chairman of the Commerce Committee?

Mr. JONES. Certainly.

Mr. McKELLAR. Several days ago, as the Senator is aware, the Senate unanimously adopted a resolution about aircraft. Has the Senator any information as to when the Department of Commerce is going to report in accordance with that resolution?

Mr. JONES. No; I have not. It has not been very many days since the resolution was sent down to the department, so I have not troubled the department by asking when they will make the report. We expect to hear from them very soon.

Mr. BRATTON. I may say, in response to the question propounded by the Senator from Tennessee, that Major Young advised me, in the course of a telephone conversation on Saturday, that the report is being prepared, and he thought it would reach the Senate on Tuesday of this week.

REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. COPELAND. Mr. President, I understand the amendment on page 29, line 16, is the amendment now before us.

The PRESIDING OFFICER. It is.

Mr. COPELAND. I would like to say to the chairman of the committee that I find in my State considerable opposition to the proposed amendment. The objection is to having the ultramarine valued at more than 10 cents given any other rate than the general rate on ultramarine.

Mr. SMOOT. If the Senator desires I will make a brief statement about it. That is the only change in the existing law relating to the subject.

Mr. COPELAND. I yield to the Senator from Utah.

Mr. SMOOT. I wish to make a brief statement in regard to this item.

The imports of ultramarine have averaged about 11 per cent of production in recent years. The imports consist chiefly of those grades valued at 10 cents or more per pound, and the imports have been sufficient in volume continually to depress price levels. There are about 25 grades of ultramarine and the prices range from 6 to 25 cents a pound.

The unit value of the imports of all grades through the port of New York for the first four months of 1929 was 11.7 cents a pound. The unit value of grades valued at 10 cents or more per pound was 12.2 cents and of grades below 10 cents a pound 9.46 cents per pound.

The average cost of production of domestic grades as reported by five manufacturers in a brief filed is stated to be 12.9 cents per pound. In the domestic production about 30 per cent is unavoidably of the lower grades, which have sold at or near the cost of production.

The amendment is simply to protect the higher-priced grades of ultramarine blue in which the importations come. From the facts stated in the brief and from the report that was received from the Tariff Commission we felt justified in proposing the increase of 1 cent a pound on ultramarine blue that costs more than 10 cents a pound. That is the story.

Mr. COPELAND. Mr. President, I thank the Senator from Utah, and I have no doubt he is right, but, at the same time, the Senate should know that there is opposition. For instance—

Mr. GOFF. Mr. President, I should like to ask the Senator from New York to speak a little louder, if he can, for we are very much interested in this item, and we can not hear what the Senator is saying.

Mr. COPELAND. Mr. President, I will repeat that I assume that the committee is on sound ground; that everything is all right, and that this amendment should be adopted, but, at the same time, I have certain criticisms of this amendment coming from my State and I want the Senate to be advised regarding them. I know that the Senator from West Virginia [Mr. Goff] is prepared to answer any questions and perhaps to make certain that the amendment should be adopted; but I have, for instance, a telegram which states:

A proposed change in tariff ultramarine blue, paragraph 70, as set forth this morning's press, will inflict unwarranted burden on thousands of American citizens using paints, paper, textiles, rubber products, linoleums, etc., in which ultramarine is used. Have seen complaint of principal American producer, who has tried for some time to monopolize business, and positive and careful investigation of records will disprove

every single claim they have made. We can prove that they are at present overprotected.

The sender of the telegram further says:

Refer you brief we submitted Senate Finance Committee. Such conditions as this by bad feeling they create also seriously affect export business.

Then I have a letter of very recent date from Kentler Bros., 136 Liberty Street, New York. In that letter I am told:

In the monthly Summary of Foreign Commerce of the United States the importations of ultramarine blue are not given separately.

Did the Senator from Utah find any separate figures?

Mr. SMOOT. The figures are given, and if the Senator desires to see them they are found on page 332 of the Summary of Tariff Information. The figures that I quoted are exactly the figures found there, and also the percentages of imports as compared to domestic production.

Mr. COPELAND. Then my correspondent is incorrect in saying that the imports are not given separately?

Mr. SMOOT. He is incorrect.

Mr. COPELAND. Because they are given?

Mr. SMOOT. They are.

Mr. COPELAND. This letter further states:

As it is customary to give separate importations figures for commodities which are imported to an appreciable extent, it must follow that there really is no basic necessity for the increase of duty from 3 cents to 4 cents per pound, as provided in paragraph 69 of the Senate Finance Committee bill. In fact, the House did not increase the duty although an organized appeal was made for such increase.

The final paragraph of the letter reads:

If we are to judge by our experience, imported ultramarine valued at more than 10 cents per pound is in no way harming the ultramarine manufacturing business in this country. Our experience shows that the vast majority of ultramarine users in the United States have been continually using the American ultramarine blues, and it is very doubtful if even a lower duty than 3 cents per pound would harm the American ultramarine manufacturers.

Mr. SMOOT. Mr. President, may I tell the Senator the facts of the matter?

Mr. COPELAND. I yield to the Senator from Utah.

Mr. SMOOT. Taking one company, in 1925 its profits were \$90,804.85; in 1926 they fell to \$83,745.54; in 1927 they fell to \$52,145.72; and in 1928 they fell to \$4,751.10. That shows how the industry stands to-day. The committee did not increase the duty on the lower-priced grades, those costing less than 10 cents, but the committee sought to take care of the higher grades. I do not believe the action proposed will interfere at all with any industry in this country.

Mr. COPELAND. I am very much obliged to the Senator for the information.

Mr. KING. Mr. President, I regret exceedingly that the Tariff Commission while always furnishing the imports down to date seem to be unable to supply up-to-date information as to domestic production. The last report furnished us of domestic production was for 1925 and the statement appears in the tariff summary that the increase was 18.4 per cent in quantity over the production in 1923, and that the domestic production in 1925 was 8,366,920 pounds. Apparently the industry was developing and the output was being increased annually. Considering the antecedent production, there is indicated a progressive development.

The imports were correctly stated by my colleague.

Mr. SMOOT. Has the Senator the figures as to the production in 1927?

Mr. KING. I have not the production figures for 1927.

Mr. SMOOT. I can give the Senator the figures.

Mr. KING. I say, unfortunately they have not been printed in the Tariff Summary.

Mr. SMOOT. I have them written in lead pencil. The Tariff Summary as printed does not carry the information of domestic production of ultramarine blue later than 1925. I have the figures in pencil before me, however, and I can tell the Senator just what they are.

Mr. KING. I will be glad to have the Senator give them. I asked Doctor Craig, who is the expert of the Tariff Commission, to furnish me the information, but apparently he was unable to obtain it.

Mr. SMOOT. The figures were 8,347,893 pounds.

Mr. KING. That was the production for what year?

Mr. SMOOT. For 1927, including all grades.

Mr. KING. Mr. President, in turning through the pages of the House hearings—I just accidentally happened upon this

statement—I find on page 797 the following statement by Stanley Doggett (Inc.):

Above we indicated that not very long after the last change in duty a new concern started in the ultramarine blue business and it was quite evident from state of conditions from that time on that the older houses in the business were evidently resolved that no one should ever survive against them.

Dating back to the time of the entrance into the business of the new concern referred to, there has been no end of price cutting (this the unfair competition we have referred to above). In fact, the feeling for the old against the new was so strong that the largest one of the old producers even fought the new concern in the United States courts in an attempt to put them out of business.

I had been told that there had been litigation growing out of the contest between producers, but I was not advised of its character.

A quite evident uncalled for jealousy has existed resulting in an unmerciful slashing of prices; for example, a few years ago the average selling price for the grades of ultramarine blue produced in the largest quantities was from 13 to 15 cents per pound, whereas to-day the figures average from about 6 to 8 cents per pound. Please bear in mind we have mentioned last referred to condition refers to the largest part of the present ultramarine production.

Believing our figures to be absolutely correct, now let us draw your attention to the fact that we have investigated costs abroad, and find that at present there is really very little difference between cost here and there, since, even though labor may be a little cheaper in Europe, foreign producers have to, in a large measure, depend upon American sulphur—

The Senate is aware of the fact that we export large quantities of sulphur to Germany and other countries—

which is used in large quantities in ultramarine production, and on account of a set scale of prices that seem to be maintained for export shipments foreign producers have to pay more for their sulphur than the American blue manufacturers.

Several of the European producers inform us that it is impossible for them to produce and market even one of the cheapest qualities of blue at 6 cents per pound, and now considering that even if they could produce such a blue at 6 cents per pound and were desirous of disposing of a part of their production in this market they would then have to pay freight, and then on top of this a duty of 3 cents per pound, it is plain to be seen that the American manufacturers would be amply protected with a 15 per cent duty.

Mr. GOFF. Mr. President, will the Senator yield?

Mr. KING. Certainly.

Mr. GOFF. Did the Senator say that there is no difference in the cost of production of ultramarine blue in Europe and the United States?

Mr. KING. I read from the statement of a witness, Mr. Stanley Doggett, who appeared before the House committee. I called attention to the page. He made the statement which I have just read as to the cost of production. I will repeat it:

Believing our figures to be absolutely correct, now let us draw your attention to the fact that we have investigated costs abroad, and find that at present there is really very little difference between cost here and there, since, even though labor may be a little cheaper in Europe, foreign producers have to, in a large measure, depend upon American sulphur, which is used in large quantities in ultramarine production.

Then he adds that European manufacturers state that they can not produce the lower grades of ultramarines in competition with American manufacturers.

Mr. GOFF. Mr. President, in order that we may have this matter—

Mr. KING. Let me say that the statement of Mr. Doggett was not challenged, so far as I know, in the House hearings, and I do not recall any challenge having been made to it in the Senate hearings.

Mr. GOFF. I will say to the Senator that I am in possession of evidence that shows that the cost of production in Europe is less by one-half than the cost in the United States.

Mr. KING. Does the Senator refer to this commodity?

Mr. GOFF. To this very commodity. I am not now going to take the time of the Senate to reply to the brief of Mr. Doggett, but in connection with my remarks I am going to ask unanimous consent that a reply to the testimony to which the Senator from Utah has referred may be printed in the RECORD.

Mr. KING. Of course, I have no objection to the matter being printed in the RECORD, but may I ask the Senator from whom does he derive the information which he wishes to insert in the RECORD?

Mr. GOFF. This comes from the manufacturing industry in my State engaged in the production of ultramarine, the Stand-

ard Ultramarine Co., at Huntington. They have given this matter very serious and careful consideration. They have gone into the matter, not with the idea of criticism but with the idea of discovering the ultimate facts; and in order to justify the conclusions which they have reached, they have shown that the cost of production in the United States is substantially twice what it is in Europe.

I have the figures here, and I am perfectly willing to go into this matter, which will take some time, if the Senator desires it.

Mr. KING. Mr. President, is that a brief which the Senator holds in his hand? My attention has just been called by Doctor Craig, who sits at my left, to the brief appearing on pages 414 and 415 of the Senate hearings—brief of the Standard Ultramarine Co., Huntington, W. Va.—which purports to be comments on the importers' brief?

Mr. SMOOT. That is the company.

Mr. GOFF. That is the company; but I have not seen the brief to which the Senator from Utah is referring, and, of course, I will not make an answer, either affirmative or negative, until I see the brief as printed on the pages to which the Senator refers.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

Mr. KING. I have no objection.

The PRESIDING OFFICER. The Chair hears no objection, and it will be inserted in the RECORD.

The matter referred to is as follows:

ANSWER TO THE IMPORTERS' BRIEF

The Stanley Doggett brief, asking for a return to a 15 per cent ad valorem duty on ultramarine, is more of the nature of a libel than of an economic document.

To answer it as far as the accusations of fixing prices, unfair practices, slashing of prices, exaggerated profits are concerned is out of place here. No facts are given, only gossiping slander.

A fact to be noticed is that the victimized "new, very progressive concern" alluded to, namely, the National Ultramarine Co., has signed through its president, N. B. Conley, the brief of ultramarine blue manufacturers asking for a 6-cent specific duty, while its apparently disinterested champion, Stanley Doggett, was alone to sign the paper he filed with the Committee on Ways and Means.

Reverting to the few economic facts quoted, the importer says that the average selling price was a few years ago from 13 to 15 cents per pound and to-day averages 6 or 8 cents per pound. This is an untruth. The average to-day is close to 13 cents, and only very low grades are selling from 6 to 8 cents, but there we meet again the old paradoxical argument of the importers. They take as term of comparison the lowest, cheapest adulterated blue, which, being a drug on the market, is selling way under cost, and attempt to show the big pro rata duty an imported blue would have to pay.

They say, here is a 6-cent piece of goods on which you ask us to pay 6 cents duty. The truth is that prices vary from 4½ cents a pound to 26 cents a pound, according to the quality. Taking the average we find it was 15 cents in 1926, while it is close to 13 cents to-day, regulated, you may see, not by any agreement or disagreement between domestic manufacturers, but by the value put by foreign manufacturers on the goods they send here (12.4 cents in 1927).

Stanley Doggett's contention that there is very little difference between cost here and abroad is absurd, and for an importer to say that labor may be a "little cheaper" in Europe shows very well that he does not have to meet American pay rolls.

His statement that American sulphur is dearer in Europe than it is here is wrong—quite contrarily, the seaboard location of the largest European manufacturer, Reckitt of Hull, gives him an advantage over us, the price of sulphur to him being \$26 per ton, c. i. f. Hull, while it is to us \$28.27, f. o. b. Huntington, W. Va. On the other hand domestic manufacturers are paying a duty on English clay, besides the ocean freight and long inland freight, meaning altogether \$10 extra per ton for this commodity.

A higher duty would have a tendency to stabilize the price of ultramarine and perhaps slightly increase its cost to the consumer. Let us say, for instance, that this increase in cost would be 1 cent per pound, it would mean an increase of one-tenth of 1 cent per capita and per year.

We may add also that the quantity of ultramarine blue imported in the United States would not be materially reduced by such an increased duty.

The bulk of the imported blue goes to an English manufacturer (Reckitt) established in this country, where it repacks its English-made goods. This would suffer no decrease.

A foreign high quality would always find its market. And there are many consumers who want foreign goods nevertheless.

As to Stanley Doggett's parting shot of only five firms producing, his own brief shows that there is only one importer, absolutely unsupported by any other signatures, opposing the vital interests of these five firms.

Mr. EDGE. Mr. President, I draw the Senator's attention to the House brief. He probably has a copy of it, but I will give him the report. It is the brief on tariff readjustment before the Ways and Means Committee, on page 795 of the House hearings, signed by all of the American companies, I take it—the International Ultramarine Works, the Russ Co., the Standard Ultramarine Co., the National Ultramarine Co., and the Heller & Merz Co.—showing, as has been indicated by the Senator from West Virginia, the cost of production in the United States per pound as 12.9 cents, and the cost in Belgium as 6.21 cents. I shall be glad to have that placed in the RECORD as from the brief already stated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

COST OF PRODUCTION IN THE UNITED STATES

The following is a representative set-up of the cost of production per pound:

	United States	France and Belgium
	Cents	Cents
Raw materials.....	3.2	3.2
Labor.....	3.6	.72
Supplies, repairs, and packages.....	1.7	.85
Office and administrative expenses.....	3.2	.64
Plant depreciation.....	.8	.4
Taxes.....	.4	.4
	12.9	6.21

Selling expense has not been taken into consideration since the cost of sales in the United States will be alike for both the domestic and the foreign manufacturers.

The cost of raw materials is about the same for both the United States and the foreign countries. The foreigners may have a slight advantage in the cost of china clay which has a cheaper freight rate from England to Belgium, France, and Germany than to the United States; sulphur, whether from Italy or from the United States, costs the same; and there are no important differences in the remaining raw materials.

The difference between European costs and American costs lies entirely in the labor charge and in the costs of supplies other than raw materials.

The French and Belgian factories are located in the rural districts and draw their labor from the nearby villages. The wages for unskilled labor for chemical factories is 25 francs in France or \$1 per day—expressed in American money. This is one-fifth the amount paid in the United States for labor of the same grade. The wages paid for unskilled labor in chemical factories in the United States is \$5 to \$5.50 per day. Office salaries and administrative costs in this country and in the foreign countries stand in the same ratio as American unskilled labor and foreign unskilled labor costs.

The costs of supplies and machinery replacements and maintenance are about half as high in the foreign countries as in the United States. The rates of wages for skilled mechanics, machinists, electricians, carpenters, and masons in the rural districts of France and Belgium amount to 16 cents per hour of American money as compared with rates of similar skilled American labor of \$1 to \$1.25 per hour for electricians and machinists, \$0.70 to \$1 for carpenters, and \$1 to \$1.25 for masons, depending on the particular locality in the United States.

The manufacture of ultramarine involves the use of furnaces and heavy crushing and grinding machinery. These high wages make the maintenance, supply, and repair charges an important item in the cost of production.

The estimated difference of cost to the manufacturers of ultramarine in the United States and in foreign countries, particularly in France and Belgium, amounts to 6.69 cents per pound.

In this connection it must be remembered that the manufacture of ultramarine, as stated in the earlier part of this brief, involves the unavoidable production of about 30 per cent of second-class material which must be sold at or near the cost of production. European manufacturers, with their initial lower cost of production, can market their second-grade materials in the United States to the serious embarrassment or to the destruction of the American ultramarine industry, unless the industry receives adequate protection on both the high and the low grades of ultramarine.

Mr. GOFF. Mr. President, since examining the brief in the tariff hearings of 1929, pages 414 and 415, I will say to the Senator from Utah that it is the same brief, and it is substantially the same as indicated by the Senator from New Jersey.

Mr. KING. Mr. President, does the Senator know of the litigation which recently took place, in which one of the do-

mestic producers sought to destroy some of his competitors? Is the Senator familiar with that?

Mr. GOFF. I would not say that I am familiar with it, but I know generally that such a litigation did take place.

Mr. KING. Was there not a charge made of a combination in restraint of trade, or an attempt to monopolize, and was not the suit brought because of the monopolistic aggressions of the defendants named in the case? I am asking for information. I have heard that.

Mr. GOFF. I do not so understand; but let me say to the Senator from Utah that as a matter of course allegations of that kind in a bill in equity would follow the lines of the scholastic imagination of the attorney drafting the bill, in order to bring the litigant clearly within the jurisdiction of the court as based upon the statute which was brought into the case.

Mr. KING. I have a little more confidence in lawyers than my friend. I do not think a lawyer would project a suit based upon a violation of the Sherman law or the antitrust law merely for the purpose of presenting his scholastic attainments. I think there would be some fact upon which to base his bill in equity; and the complaint, as I am advised, charges a combination in restraint of trade, or an attempt to monopolize, upon the part of one of these domestic corporations.

Mr. GOFF. Well, suppose this bill in equity does so charge. The Senator from Utah would not contend that dissensions and litigation between domestic competitors should determine the question of tariff rates in a matter of this character.

Mr. KING. Yes and no; it might or it might not, depending upon the facts of each particular case. If some manufacturer, hiding behind the ramparts which the tariff affords him, attempts to build up a monopoly and to crush any possible competition, I should feel, when we came to enact tariff legislation, not very enthusiastic to increase the rates in order to confirm his strangle hold upon the domestic industry; and I confess that I shall not be satisfied with the final disposition of this item until I am further advised in regard to the facts.

Of course, I have no right to hold up the passage of legislation in order to ascertain those facts; but the charge is made here in this statement, and the information which I have received bears out the charge, that there was litigation based upon an effort made by one of the domestic manufacturers to control the market, and the tariff had been so high as to induce a number to go into the business. The increase has been rather remarkable, from an insignificant production to more than 8,000,000 pounds, as against importations of about 800,000 pounds as the maximum; all of which indicates, it would seem to me, that there is no necessity for increasing the rate, and particularly in the higher brackets, because in the lower brackets, as I am advised, the domestic producers have practically the control of the market.

Mr. GOFF. Then that simply means that at some future day, not far distant, my friend and I will be prepared to discuss this bill in equity, as well as the increased rate, as to whether or not it is justified.

Mr. KING. I have no purpose to discuss a bill in equity. I hope that in the near future I shall have some facts which will fortify the position which I am attempting now to take; namely, that it is unfair and unjust to increase the tariff rates. It is merely for the purpose of confirming a monopoly that is already in existence.

Mr. GOFF. I will say that I will have facts which will undermine my friend's position.

Mr. KING. I am very happy to know that my friend is optimistic.

Mr. GOFF. I am very optimistic, and in no sense pessimistic, in this matter.

The PRESIDING OFFICER. The question is on the amendment on page 29.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 29, line 18, after the word "char," to strike out "25 per cent" and insert "20 per cent," so as to make the paragraph read:

PAR. 70. Bone black or bone char, and blood char, 20 per cent ad valorem; decolorizing, deodorizing, or gas-absorbing chars and carbons, whether or not activated, and all activated chars and carbons, 45 per cent ad valorem.

Mr. KING rose.

Mr. SMOOT. Mr. President, I will say to my colleague—

Mr. KING. I am willing to assent to the amendment.

Mr. GOLDSBOROUGH. Mr. President, I have an amendment to offer. On page 29, line 19, I move to strike out "20 per cent" and insert in its place "25 per cent."

Mr. SMOOT. Mr. President, all that would be necessary to accomplish that result would be for the Senate to reject the committee amendment. That would be the same thing.

The PRESIDING OFFICER. The amendment of the Senator from Maryland is not necessary.

Mr. COPELAND. Mr. President, may I ask the chairman of the committee what the present rate is?

Mr. SMOOT. Twenty per cent.

Mr. COPELAND. There is no justification for an increase in the rate, I take it. If there had been, the committee would have recommended it.

Mr. SMOOT. The House gave a duty of 25 per cent. The Finance Committee thought that the rate of existing law was sufficient. The production in the United States in 1927 was 58,159,476 pounds, of a value of \$2,466,343. The imports in 1927 were 481,234 pounds, and in 1928, 1,017,171 pounds.

That is the history of the production and the imports. The Finance Committee, of course, thought, that being the case under the 20 per cent duty, that there was little justification for an increase in the present rate.

That is the situation.

Mr. COPELAND. Mr. President, the information I have from a concern in my State, and from briefs presented, is that there is no justification for this increase. I hope the suggestion of the Senator from Maryland will be voted down and the committee supported.

Mr. GOLDSBOROUGH obtained the floor.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Maryland kindly repeat his amendment?

Mr. GOLDSBOROUGH. Yes; I will. On page 29, line 19, I move to strike out "20 per cent" and insert in its place "25 per cent," which was the rate given in the House bill.

Mr. President, on this point, bone black is an absolute necessity in the refining of white sugar, glucose, and also of mineral, vegetable, and animal oils, and in water purification.

The tariff act of 1922 provides for 20 per cent ad valorem, and has given the domestic industry some protection since it was enacted; but we are now confronted with rapidly growing imports. These originate from various producers located in Germany, France, Belgium, England, Scotland, India, and the Argentine. A history of these imports of bone black and bone char over several years, as compiled by the United States Department of Commerce, shows a steady yearly growth, excepting that in 1928 the figures have more than doubled themselves. This is causing great concern to the domestic industry, and it is believed that unless additional aid is received in the way of an increase in duty, the industry will not be able to survive the rapidly growing onslaught from abroad.

Only approximately 20 per cent of the raw material—that is to say, cattle bones—used by the domestic industry is produced in the United States, and the remaining approximately 80 per cent is imported, principally from Argentina and India.

Foreign producers of bone black located in continental Europe have another decided advantage over the domestic producers in addition to their surprisingly lower wage, namely: Russia is prepared to ship, as I am advised, practically unlimited tonnage of bones into Germany and other near-by countries at very much lower cost than would be the case were the bones transported overseas to the United States.

Another grave feature that confronts the industry, and which has arisen only within the past year or two, is the fact that India and Argentina, to which we must look for approximately 80 per cent of our raw material, have now themselves gone into the manufacture of bone black, and are therefore now producing and offering the finished product in this market.

The House reported a rate of 25 per cent ad valorem on this commodity; but when the bill was reported to the Senate, the Finance Committee reduced it to 20 per cent ad valorem. Unless additional protection to the amount of at least 25 per cent is given, the domestic industry can not hope, as I see it, to meet the cheap coolie-labor rates abroad with the wages now being paid to our American workers, and the industry will not be able to survive under such a handicap.

The domestic producers have asked for a 30 per cent rate, but I feel justified in asking for the restoration of the duty fixed by the House, namely, 25 per cent. This increased duty is earnestly requested in order to preserve the domestic industry. Unless it be granted, it seems apparent to those who have given the subject much thought that many thousands of laborers dependent upon these allied industries for their livelihood will be thrown out of employment and the many dollars now invested in an absolutely necessary home industry will be lost, or at least seriously impaired.

The manufacturing plants in the United States are completely equipped with modern facilities, and with the raw material on the free list can produce a sufficient volume of bone black or

bone char to meet the entire domestic requirements. They have not been and are not now operating to full capacity.

The domestic producers of bone black include the following companies:

American Agricultural Chemical Co., New York, N. Y.; Armour Fertilizer Works, New Orleans, La.; Baugh & Sons Co., Philadelphia, Pa., and Baltimore, Md.; Michigan Carbon Works, Detroit, Mich.; Pacific Bone Coal & Fertilizer Co., San Francisco, Calif.; Pacific Guano & Fertilizer Co., San Francisco, Calif.; Texas Chemical Co., Houston, Tex.

I therefore offer formally my amendment, on page 29, line 19, to strike out "20 per cent" and insert in lieu thereof "25 per cent."

The PRESIDING OFFICER. The Chair desires to announce to the Senator that a negative vote on the Senate committee amendment would accomplish the result he desires.

Mr. KING. Mr. President, the Tariff Summary states that the competition in the way of imports is negligible. The Senator from Maryland has accurately stated some of the uses to which this important product is put. It is very important in the sugar business, both beet and cane, as I am advised. It is used as a pigment under some circumstances, but the principal purpose, aside from its use in the sugar business, is as a decolorizer, and also in the manufacture of sirups. It is employed largely in the purification of drinking water. I know that many cities are interested in the acquisition of this product to purify the water, in order that the inhabitants may obtain a proper supply of potable water.

Mr. President, the output has increased, starting in a number of years ago, and in 1927 the production was 58,159,476 pounds; in 1919 it was 47,000,000, in 1921 it was 53,000,000, and so on. The imports are probably 2 or 3 per cent of the domestic production. The imports in 1922 amounted to 235,000 pounds.

The Senator states that there is a large import. The statement would seem to indicate that the imports are larger now than ever before. I find that in 1925 the imports were 2,433,739 pounds, and in 1926 they were 1,694,040 pounds. In each of those years the imports were larger than they were in 1927. In 1928 there was an increase up to 1,017,000 pounds.

I am advised, however, that that increased importation—and of course it does not reach the limit of the importations in the preceding years—was brought about by reason of the expected increase in the tariff. The Senator knows that along the Atlantic coast, in many places, there are in the warehouses under bond a larger importation of a number of commodities than there were for the year 1928.

We may not determine the question of imports by the number of imports for the six months in 1929. Always where there is an increase in the tariff, or an expected increase in the tariff, there will be an increase in the importations, a limited increase, and the products imported will be placed in warehouse or in bond for future use.

It means, of course, that when the supplies of those products are exhausted, there will be a diminution in the imports, and the figures for imports for the following year will show a decreased importation. So that one year will simply balance another.

I see no reason whatever for the increase desired by the Senator from Maryland, and I think the Senate ought to stand by the committee. The committee is not receiving very much support, and I think we should give it support whenever we can. In this respect, because they have investigated, they knew what they were doing, and this intelligent Republican committee—and my friend from Maryland has been following them with a great deal of devotion—undoubtedly decided correctly in this instance, and I hope the Senator will support the committee.

Mr. GOLDSBOROUGH. Mr. President, the Senator from Utah is showing unusual generosity in his offer to support the committee. I am rather surprised that he should come that far.

In reply to the Senator, I want to say that the figures which I have gotten do show that the imports of bone black and bone char over several years, as compiled by the United States Department of Commerce, show a steady yearly growth, except in 1928.

The PRESIDING OFFICER. The adoption of the amendment proposed by the Senator from Maryland would have the effect of restoring the House provision of 25 per cent. If the Senate should reject the Senate committee amendment, the same result would be obtained, and therefore the question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I ask unanimous consent that when the Senate concludes its business to-day it take a recess until to-morrow at 10 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The next amendment passed over was on page 31, line 22, where the committee proposed to strike out "Sodium and potassium" and to insert in lieu thereof "Sodium, potassium, lithium, beryllium, and caesium."

Mr. SMOOT. I have been asked to have this amendment passed over.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. COPELAND. Mr. President, I want to ask a question of the chairman of the Finance Committee. On page 32, line 8, there is an amendment raising the rate on chlorate of sodium. What was done with that?

Mr. SMOOT. That amendment has been rejected, and the rate of 1½ cents, as provided in the House text, has been restored.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER. The Chair refers to the appropriate committees sundry executive messages received from the President of the United States.

RECESS

Mr. SMOOT. I move that the Senate take a recess until to-morrow at 10 o'clock.

The motion was agreed to; and the Senate (at 5 o'clock and 55 minutes p. m.), under the order previously entered, took a recess until to-morrow, Tuesday, October 29, 1929, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate October 28 (legislative day of September 30), 1929

ASSISTANT SECRETARY OF THE TREASURY

Walter E. Hope, of New York, N. Y., to be Assistant Secretary of the Treasury, in place of Henry Herrick Bond, resigned.

APPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICER

To be brigadier general, reserve

Brig. Gen. James Joseph Quill, Wisconsin National Guard, from October 24, 1929.

HOUSE OF REPRESENTATIVES

Monday, October 28, 1929

The House met at 12 o'clock noon and was called to order by the Clerk, Hon. William Tyler Page, who read the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., October 28, 1929.

The CLERK OF THE HOUSE OF REPRESENTATIVES:

I hereby designate the Hon. WILLIS C. HAWLEY as Speaker pro tempore for this day.

NICHOLAS LONGWORTH,
Speaker House of Representatives.

Mr. HAWLEY took the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Chaplain will offer prayer.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we pray for the blessed inspirational guidance of Thy Holy Spirit. How strong frail human nature can become when constrained by the love and power of the Divine. We come to Thee with loving wonder; we are lost in the mystery of godliness. But answer the longings of our hearts, and send us forth through the hours of this day clothed in righteousness and with the mercy of forgiveness in our hearts. Remind us of our solemn vows and our slighted obligations, and forgive us as we pray to be forgiven. Again we thank Thee for the loving eye that sees our paths and for the loving ear that hears our voice. Amen.

The Journal of the proceedings of Thursday, October 24, 1929, was read and approved.

ADJOURNMENT

Mr. TREADWAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 3 minutes p. m.) the House, under House Resolution 59, adjourned until Thursday, October 31, 1929, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

70. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Missouri River, near Elk Point, S. Dak.; to the Committee on Flood Control.

71. A letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting a report of its official proceedings for the year ended December 31, 1928; to the Committee on the District of Columbia.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EVANS of Montana: A bill (H. R. 4810) to add certain lands to the Helena National Forest, in the State of Montana; to the Committee on the Public Lands.

By Mr. KELLY: A bill (H. R. 4811) to authorize the Bureau of Mines to manufacture 1 gram of radium; to the Committee on Mines and Mining.

By Mr. McMILLAN: A bill (H. R. 4812) to allow newspapers and other publications containing matter in respect of lotteries to be available in certain cases; to the Committee on the Post Office and Post Roads.

By Mr. WILLIAMSON: A bill (H. R. 4813) extending the period of time for homestead entries on the Cheyenne River and Standing Rock Indian Reservations; to the Committee on Indian Affairs.

Also, a bill (H. R. 4814) authorizing the Secretary of the Interior to erect a monument to commemorate the sacrifices and services of the fool soldiers; to the Committee on the Library.

By Mr. McMILLAN: Joint resolution (H. J. Res. 123) providing for the issuance of a special postage stamp in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Charleston, S. C.; to the Committee on the Post Office and Post Roads.

By Mr. BRITTEN: Joint resolution (H. J. Res. 124) relating to the establishment of commodity quantity units for general use in merchandising after 1935; to the Committee on Coinage, Weights, and Measures.

Also, joint resolution (H. J. Res. 125) relating to the use of the metric system of weights and measures in the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. BECK: Resolution (H. Res. 64) providing that there be printed and bound 1,000 copies of volume 1 of the Annals of the Congress of the United States, for the use of the House of Representatives; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 4815) granting an increase of pension to Charles W. Smith; to the Committee on Invalid Pensions.

By Mr. BEEDY: A bill (H. R. 4816) for the relief of Henry Stanley Wood; to the Committee on Ways and Means.

Also, a bill (H. R. 4817) granting an increase of pension to Carrie L. Ockington; to the Committee on Invalid Pensions.

By Mr. BOWMAN: A bill (H. R. 4818) granting an increase of pension to Sarah A. McElroy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4819) granting an increase of pension to Sarah E. Wolf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4820) granting an increase of pension to Sarah A. Miller; to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 4821) granting a pension to Susie B. Weeden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4822) granting an increase of pension to Mary E. Cook; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 4823) granting an increase of pension to George Wegner; to the Committee on Pensions.

Also, a bill (H. R. 4824) granting a pension to Dianah Arnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4825) granting a pension to Lucy J. Watkins; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 4826) granting a pension to Ulysses Garrett Sheets; to the Committee on Invalid Pensions.

By Mr. KENDALL of Kentucky: A bill (H. R. 4827) granting a pension to James Kelly; to the Committee on Pensions.

Also, a bill (H. R. 4828) granting a pension to Daisy Pelfrey; to the Committee on Pensions.

Also, a bill (H. R. 4829) granting a pension to Pink Curley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4830) granting a pension to Billie Fields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4831) granting a pension to Peleg Barrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4832) granting a pension to Emily Gambrel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4833) granting a pension to Mrs. Van Buren Angel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4834) granting a pension to Darcas Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4835) granting a pension to Thomas Johnson, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4836) granting an increase of pension to Sarah E. Dobbins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4837) granting a pension to Nannie Grubb; to the Committee on Pensions.

By Mr. McREYNOLDS: A bill (H. R. 4838) granting a pension to William B. Gamball; to the Committee on Invalid Pensions.

By Mr. MILLIGAN: A bill (H. R. 4839) granting a pension to John A. Pate; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 4840) granting an increase of pension to Avarilla C. Culler; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 4841) granting a pension to Daniel B. Huffman; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 4842) granting an increase of pension to Abbie E. Gibbs; to the Committee on Invalid Pensions.

By Mr. SHORT of Missouri: A bill (H. R. 4843) granting a pension to Mary Barnard; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 4844) granting an increase of pension to Rose Dufore; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 4845) granting an increase of pension to Cynthia A. Dwiggin; to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 4846) granting an increase of pension to Charles W. Nelson; to the Committee on Pensions.

Also, a bill (H. R. 4847) for the relief of Albert H. Puthoff; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

758. By Mr. BUCKBEE: Petition of J. S. Bean and 156 other citizens of Sycamore, Ill., asking that the rates for Civil War veterans and widows of veterans indorsed by the National Tribune be enacted into law; to the Committee on Invalid Pensions.

759. By Mr. PALMER: Petition from the Sam George Circle of Women's Auxiliary, Grand Army of the Republic, Humansville, Mo., to increase the pensions of widows of Civil War veterans to \$50 per month, and at the age of 80 years to \$75 per month; to the Committee on Invalid Pensions.

SENATE

TUESDAY, October 29, 1929

(Legislative day of Monday, September 30, 1929)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

DEATH OF SENATOR THEODORE E. BURTON

Mr. FESS. Mr. President, the junior Senator from Ohio [THEODORE E. BURTON] passed away late last evening. As all his colleagues well know, he was one of the great outstanding figures in public life, having had a continuous service covering a period of almost 40 years. During that time he was engaged as a leader in almost every great public issue before the country. The recognition of his ability was not confined to his own country, but extended throughout the world. His death is a national loss.

At a later date I shall ask the Senate to make a more formal recognition of his life, character, and public services.

Mr. President, I offer the following resolutions and ask that they be read.

The PRESIDENT pro tempore. The clerk will read the resolutions.

The legislative clerk read the resolutions (S. Res. 143), as follows:

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. THEODORE E. BURTON, late a Senator from the State of Ohio.

Resolved, That a committee of 20 Senators be appointed by the President of the Senate to take order for superintending the funeral of Mr. BURTON, which shall take place in the Senate Chamber at 2.30 p. m. on Wednesday, October 30, 1929, and that the Senate attend the same.

Resolved, That as a further mark of respect his remains be removed from Washington to Cleveland, Ohio, for burial, in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect; and that the necessary expenses in connection therewith be paid out of the contingent fund of the Senate.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, transmit a copy thereof to the family of the deceased, and invite the House of Representatives to attend the funeral in the Senate Chamber and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the diplomatic corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations, and the Major General Commandant of the Marine Corps to attend the funeral in the Senate Chamber.

Mr. FESS. I ask unanimous consent for the immediate consideration of the resolutions.

The resolutions were considered by unanimous consent and unanimously agreed to.

Under the second resolution the President pro tempore appointed as the committee on the part of the Senate the Senator from Ohio [Mr. FESS], the Senator from Indiana [Mr. WATSON], the Senator from Arkansas [Mr. ROBINSON], the Senator from Wyoming [Mr. WARREN], the senior Senator from North Carolina [Mr. SIMMONS], the Senator from Utah [Mr. SMOOT], the junior Senator from North Carolina [Mr. OVERMAN], the Senator from New Hampshire [Mr. MOSES], the Senator from Georgia [Mr. HARRIS], the Senator from Kansas [Mr. CAPPER], the Senator from Arizona [Mr. ASHBURST], the Senator from Kentucky [Mr. SACKETT], the Senator from Washington [Mr. DILL], the Senator from Illinois [Mr. DENEEN], the Senator from Texas [Mr. CONNALLY], the Senator from Oregon [Mr. STEWER], the Senator from Florida [Mr. TRAMMELL], the Senator from New Jersey [Mr. KEAN], the Senator from New Mexico [Mr. BRATTON], and the Senator from Maryland [Mr. GOLDSBOROUGH].

ADJOURNMENT

Mr. FESS. Mr. President, as a further mark of respect to the memory of our departed colleague, I move that the Senate adjourn until 2.15 p. m. to-morrow.

The motion was unanimously agreed to; and the Senate (at 10 o'clock and 5 minutes a. m.) adjourned until to-morrow, Wednesday, October 30, 1929, at 2.15 p. m.

SENATE

WEDNESDAY, October 30, 1929

The Senate met at 2.15 o'clock p. m.

FUNERAL OF SENATOR THEODORE E. BURTON

The VICE PRESIDENT took the chair.

The Chaplain of the Senate, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Our Father, who art in heaven, hallowed be Thy name; Thy kingdom come; Thy will be done on earth as it is in heaven; give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil. For Thine is the kingdom, the power, and the glory, forever and ever. Amen.

O Lord Jesus Christ, who by Thy death did take away the sting of death, grant unto us Thy servants so to follow in faith where Thou hast led the way that we may at length fall asleep peacefully in Thee and wake up after Thy likeness, through Thy mercy, who livest with the Father and the Holy Ghost, one God, world without end. Amen. The grace of our Lord Jesus Christ and the love of God and the fellowship of the Holy Ghost be with us all evermore. Amen.

The Members of the House of Representatives, headed by the Clerk and the Doorkeeper and preceded by the Sergeant at Arms, entered the Chamber and were seated to the right of the Vice President.

The members of the diplomatic corps entered the Chamber and were seated to the right of the Vice President.

The Chief Justice and Associate Justices of the Supreme Court of the United States, preceded by the marshal and clerk, en-